

# MAINE STATE LEGISLATURE

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

**Daily Edition**

**First Regular Session**

beginning December 3, 2014

beginning at page H-1

LEGISLATIVE RECORD - HOUSE, April 23, 2015  
 ONE HUNDRED AND TWENTY-SEVENTH LEGISLATURE  
 FIRST REGULAR SESSION  
 34th Legislative Day  
 Thursday, April 23, 2015

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

Prayer by Diane Wentworth, Program Manager, Girl Scouts of Maine, South Portland.

Colors presented by Boy Scout Troop 603 and Cub Scout Pack 684, Augusta.

National Anthem by Oxford Hills Comprehensive High School String Quartet, South Paris.

Pledge of Allegiance by Maureen Grant, Girl Scout Troop 3038, Westbrook.

Doctor of the day, Marshall Chamberlin, M.D., Sanford.

The Journal of April 21, 2015 was read and approved.

**SENATE PAPERS**

**Non-Concurrent Matter**

Bill "An Act To License Outpatient Surgical Abortion Facilities" (H.P. 890) (L.D. 1312)

**REFERRED** to the Committee on **JUDICIARY** in the House on April 16, 2015.

Came from the Senate **REFERRED** to the Committee on **HEALTH AND HUMAN SERVICES** in **NON-CONCURRENCE**.

Representative SANDERSON of Chelsea moved that the House **RECEDE AND CONCUR**.

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

Representative SANDERSON: Thank you, Mr. Speaker, this bill does not belong in the Judiciary Committee. This is about the licensing of a medical facility, which again falls under the Department of Licensing and Regulatory Services, under the jurisdiction of the Department of Health and Human Services.

We have 16 joint standing committees assigned to oversight of specific departments. The reason: for proper oversight and a focused area of expertise. I move that we keep this, that we Recede and Concur, send it to the proper committee, not a committee that does not have oversight of this licensing practice, and that I also request a roll call please.

The same Representative **REQUESTED** a roll call on the motion to **RECEDE AND CONCUR**.

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, Mr. Speaker, Ladies and Gentlemen of the House, I would like to support Representative Sanderson in the Recede and Concur motion. Judiciary, of whom I am the Republican Lead, does not have jurisdiction over licensing of medical facilities.

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

**ROLL CALL NO. 33**

YEA - Austin, Battle, Bickford, Black, Buckland, Campbell R, Chace, Corey, Crafts, Davitt, Dillingham, Dunphy L, Edgecomb, Espling, Farrin, Foley, Fredette, Gerrish, Gillway, Ginzler, Greenwood, Guerin, Hanington, Hanley, Hawke, Head, Herrick, Higgins, Hilliard, Hobart, Kinney J, Lockman, Long, Lyford, Maker, Malaby, Marean, McClellan, McElwee, Nadeau, Nutting, O'Connor, Parry, Picchiotti, Pickett, Pierce J, Pouliot, Prescott,

Reed, Sanderson, Sawicki, Seavey, Short, Sirocki, Skolfield, Stanley, Stearns, Stetkis, Sukeforth, Theriault, Timberlake, Timmons, Tuell, Turner, Vachon, Verow, Wadsworth, Wallace, Ward, White, Winsor, Wood.

NAY - Alley, Babbidge, Bates, Beavers, Beck, Beebe-Center, Blume, Brooks, Bryant, Burstein, Campbell J, Chapman, Chenette, Chipman, Cooper, Daughtry, DeChant, Devin, Dion, Doore, Duchesne, Dunphy M, Evangelos, Farnsworth, Fecteau, Fowle, Frey, Gattine, Gideon, Gilbert, Golden, Goode, Grant, Grohman, Hamann, Harlow, Herbig, Hickman, Hobbins, Hogan, Hubbell, Hymanson, Jorgensen, Kornfield, Kruger, Kumiega, Lajoie, Longstaff, Luchini, Martin J, Martin R, Mastraccio, McCabe, McCreight, McLean, Melaragno, Monaghan, Moonen, Morrison, Noon, Peterson, Pierce T, Powers, Rotundo, Russell, Rykerson, Sanborn, Saucier, Schneck, Shaw, Stuckey, Tepler, Tipping-Spitz, Tucker, Warren, Welsh, Mr. Speaker.

ABSENT - Kinney M, Sherman.

Yes, 72; No, 77; Absent, 2; Excused, 0.

72 having voted in the affirmative and 77 voted in the negative, with 2 being absent, and accordingly the motion to **RECEDE AND CONCUR FAILED**.

Subsequently, Representative McCABE of Skowhegan moved that the House **INSIST**.

Representative FREDETTE of Newport **REQUESTED** a roll call on the motion to **INSIST**.

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 to Insist. All those in favor will vote yes, those opposed will vote no.

**ROLL CALL NO. 34**

YEA - Alley, Babbidge, Bates, Beavers, Beck, Beebe-Center, Blume, Brooks, Bryant, Burstein, Campbell J, Chapman, Chenette, Chipman, Cooper, Daughtry, Davitt, DeChant, Devin, Dion, Doore, Duchesne, Dunphy M, Evangelos, Farnsworth, Fecteau, Fowle, Frey, Gattine, Gideon, Gilbert, Golden, Goode, Grant, Grohman, Hamann, Harlow, Herbig, Hickman, Hobbins, Hogan, Hubbell, Hymanson, Jorgensen, Kornfield, Kruger, Kumiega, Lajoie, Longstaff, Luchini, Martin J, Martin R, Mastraccio, McCabe, McCreight, McLean, Melaragno, Monaghan, Moonen, Morrison, Noon, Peterson, Pierce T, Powers, Rotundo, Russell, Rykerson, Sanborn, Saucier, Schneck, Shaw, Stuckey, Tepler, Tipping-Spitz, Tucker, Warren, Welsh, Mr. Speaker.

NAY - Austin, Battle, Bickford, Black, Buckland, Campbell R, Chace, Corey, Crafts, Dillingham, Dunphy L, Edgecomb, Espling, Farrin, Foley, Fredette, Gerrish, Gillway, Ginzler, Greenwood, Guerin, Hanington, Hanley, Hawke, Head, Herrick, Higgins, Hilliard, Hobart, Kinney J, Lockman, Long, Lyford, Maker, Malaby, Marean, McClellan, McElwee, Nadeau, Nutting, O'Connor, Parry, Picchiotti, Pickett, Pierce J, Pouliot, Prescott, Reed, Sanderson, Sawicki, Seavey, Short, Sirocki, Skolfield, Stanley, Stearns, Stetkis, Sukeforth, Theriault, Timberlake, Timmons, Tuell, Turner, Vachon, Verow, Wadsworth, Wallace, Ward, White, Winsor, Wood.

ABSENT - Kinney M, Sherman.

Yes, 78; No, 71; Absent, 2; Excused, 0.

78 having voted in the affirmative and 71 voted in the negative, with 2 being absent, and accordingly the House voted to **INSIST**.

By unanimous consent, all matters having been acted upon were **ORDERED SENT FORTHWITH** with the exception of matters being held.