

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from electronic originals
(may include minor formatting differences from printed original)

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

ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-245) in NON-CONCURRENCE.

The House voted to **INSIST**.

Non-Concurrent Matter

Bill "An Act To Promote Minimum Wage Consistency"

(S.P. 494) (L.D. 1361)

Majority (7) **OUGHT NOT TO PASS** Report of the Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT READ** and **ACCEPTED** in the House on June 22, 2015.

Came from the Senate with that Body having **INSISTED** on its former action whereby the Minority (6) **OUGHT TO PASS AS AMENDED** Report of the Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** was **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-142)** and **ASKED** for a Committee of Conference in **NON-CONCURRENCE**.

The House voted to **INSIST**.

Non-Concurrent Matter

Bill "An Act To Require Screening and Testing for Illegal Substances of Beneficiaries under the Temporary Assistance for Needy Families Program"

(H.P. 955) (L.D. 1407)

Report "B" (6) **OUGHT NOT TO PASS** of the Committee on **HEALTH AND HUMAN SERVICES READ** and **ACCEPTED** in the House on June 22, 2015.

Came from the Senate with Report "A" (6) **OUGHT TO PASS AS AMENDED** 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-460) in NON-CONCURRENCE**.

The House voted to **INSIST**.

COMMUNICATIONS

The Following Communication: (S.C. 477)

**MAINE SENATE
127TH LEGISLATURE
OFFICE OF THE SECRETARY**

June 22, 2015

Honorable Robert B. Hunt

Clerk of the House

2 State House Station

Augusta, Maine 04333

Dear Clerk Hunt:

House Paper 614, Legislative Document 895, "Resolve, Directing the Real Estate Commission To Convene a Stakeholder Group on Real Estate Licensure Requirements," having been returned by the Governor, together with objections to the same, pursuant to Article IV, Part Third, Section 2 of the Constitution of the State of Maine, after reconsideration, the Senate proceeded to vote on the question: "Shall this Resolve become a law notwithstanding the objections of the Governor?"

16 voted in favor and 18 against, and accordingly it was the vote of the Senate that the Resolve not become a law and the veto was sustained.

House Paper 907, Legislative Document 1335, "An Act To Amend the Election Laws," having been returned by the Governor, together with objections to the same, pursuant to

Article IV, Part Third, Section 2 of the Constitution of the State of Maine, after reconsideration, the Senate proceeded to vote on the question: "Shall this Bill become a law notwithstanding the objections of the Governor?"

17 voted in favor and 17 against, and accordingly it was the vote of the Senate that the Bill not become a law and the veto was sustained.

Best Regards,

S/Heather J.R. Priest

Secretary of the Senate

READ and **ORDERED PLACED ON FILE**.

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

ENACTORS

Emergency Measure

An Act To Reverse Jail Consolidation

(S.P. 61) (L.D. 186)

(C. "A" S-304)

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 5 against, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

Emergency Measure

An Act Regarding the Treatment of Forensic Patients

(H.P. 941) (L.D. 1391)

(C. "A" H-479; H. "A" H-487)

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. 143 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.

SENATE PAPERS

Non-Concurrent Matter

Bill "An Act To Provide Income Tax Relief by Expanding Gaming Opportunities"

(H.P. 876) (L.D. 1280)

Report "A" (7) **OUGHT TO PASS AS AMENDED** of the Committee on **VETERANS AND LEGAL AFFAIRS READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-491)** in the House on June 23, 2015.

Came from the Senate with Report "C" (2) **OUGHT NOT TO PASS** of the Committee on **VETERANS AND LEGAL AFFAIRS READ** and **ACCEPTED** in **NON-CONCURRENCE**.

On motion of Representative PARRY of Arundel, the House voted to **RECEDE**.

The same Representative moved that the House **ACCEPT** Report "D" **Ought to Pass as Amended**.

Representative LUCHINI of Ellsworth **REQUESTED** a roll call on the motion to **ACCEPT** Report "D" **Ought to Pass as Amended**.

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

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

Representative **RUSSELL**: Thank you, Mr. Speaker, Ladies and Gentlemen of the House, I rise in support of the pending motion and I hope if folks voted in support of the motion earlier this afternoon that they will continue with that and vote in support of the motion before you.

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

ROLL CALL NO. 385

YEA - Austin, Bates, Battle, Beck, Bickford, Black, Bryant, Buckland, Campbell J, Chace, Corey, Daughtry, Davitt, DeChant, Dion, Doore, Dunphy L, Dunphy M, Edgecomb, Evangelos, Farrin, Foley, Fowle, Fredette, Gerrish, Gilbert, Ginzler, Grant, Greenwood, Grohman, Hanington, Hanley, Hawke, Hickman, Higgins, Hobart, Hobbins, Hogan, Kinney J, Kinney M, Long, Maker, Marean, Martin R, Mastraccio, McCabe, McCreight, McElwee, McLean, Melaragno, Monaghan, Moonen, Nadeau, Noon, Nutting, O'Connor, Parry, Picchiotti, Pickett, Pouliot, Prescott, Russell, Sanderson, Saucier, Sawicki, Seavey, Shaw, Sherman, Short, Sirocki, Skolfield, Stanley, Stetkis, Stuckey, Sukeforth, Tepler, Theriault, Timmons, Tucker, Turner, Vachon, Verow, Wallace, Warren, Welsh, White, Wood.

NAY - Alley, Babbidge, Beavers, Beebe-Center, Blume, Brooks, Burstein, Campbell R, Chapman, Chipman, Cooper, Crafts, Dillingham, Espling, Farnsworth, Fecteau, Frey, Gattine, Gideon, Golden, Goode, Guerin, Hamann, Harlow, Head, Herbig, Hilliard, Hubbell, Hymanson, Jorgensen, Kornfield, Kruger, Kumiega, Lajoie, Lockman, Longstaff, Luchini, Lyford, Martin J, McClellan, Morrison, Peterson, Pierce T, Powers, Reed, Rotundo, Rykerson, Schneck, Stearns, Timberlake, Tipping-Spitz, Tuell, Wadsworth, Ward, Winsor, Mr. Speaker.

ABSENT - Chenette, Devin, Duchesne, Gillway, Herrick, Malaby, Pierce J, Sanborn.

Yes, 87; No, 56; Absent, 8; Excused, 0.

87 having voted in the affirmative and 56 voted in the negative, with 8 being absent, and accordingly Report "D" **Ought to Pass as Amended** was **ACCEPTED**.

Committee Amendment "C" (H-493) was **READ** by the Clerk and **ADOPTED**.

The Bill was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "C" (H-493)** in **NON-CONCURRENCE** and sent for concurrence.

Non-Concurrent Matter

Bill "An Act To Increase Access to Health Security by Expanding Federally Funded Health Care for Maine People"

(H.P. 588) (L.D. 854)

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-470)** in the House on June 23, 2015.

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

(2-1) The Following Communication: (H.C. 295)

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

June 23, 2015

The 127th Legislature of the State of Maine

State House

Augusta, Maine

Dear Honorable Members of the 127th 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 335, "An Act To Restrict the Sale of Dogs and Cats in Pet Shops."

This bill, often referred to as the "puppy mill bill," falls short of its intended goal. Supporters of this bill are under the impression that it regulates unethical animal-breeding practices, but it simply creates more anti-business red tape. The true thrust of this bill is regulating pet shops into eventual oblivion.

This bill limits the sale of cats and dogs at pet shops. Proponents argue that existing pet shops are "grandfathered" under this bill. That is correct, but only if these pet shops are continually licensed by the same owner at the same location. This is a major restriction on what these businesses can do in the future. It destroys equity by limiting the ability of a pet shop owner to pass on their business or simply move down the block.

I cannot support this heavy-handed regulatory approach to this issue. For this reason, I return LD 335 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 Restrict the Sale of Dogs and Cats in Pet Shops

(H.P. 229) (L.D. 335)

(C. "A" H-275)

The SPEAKER: The Chair recognizes the Representative from Cape Elizabeth, Representative Monaghan.

Representative **MONAGHAN**: Thank you, Mr. Speaker, Ladies and Gentlemen of the House, I know I've gotten up and spoken about this bill, but I'm making one last attempt. You've seen a floor sheet go around just confirming some of our views one more time on this bill and the importance of this bill. All I'm going to just say one more thing is this: is that this is not a bad business bill. No new puppy-selling pet shop has opened in Maine for more than eight years. Not one. In the last six years, five puppy-selling pet shops have gone out of business. Only five remain, relying on the sale of commercially-raised puppies even while the public has strong concerns about the sourcing of these puppies. It is a business model that is no longer in line with today's public opinion of large-scale commercial breeding of animals. And so, for that, I ask you to please help us override this veto. Thank you.

The SPEAKER: The Chair recognizes the Representative from Newfield, Representative Campbell.

Representative **CAMPBELL**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House, if you'd seen what went on over in Buxton with the animals over there, you'd understand what this bill's all about. That's all I can say.

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.