

# MAINE STATE LEGISLATURE

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

**Daily Edition**

**Second Regular Session**

beginning January 3, 2018

beginning at page H-1216

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

ABSENT - Sherman, Ward.

Yes, 81; No, 68; Absent, 2; Excused, 0.

81 having voted in the affirmative and 68 voted in the negative, with 2 being absent, and accordingly the Majority **Ought to Pass as Amended** Report was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (S-473)** was **READ** by the Clerk.

**Senate Amendment "A" (S-485)** to **Committee Amendment "A" (S-473)** was **READ** by the Clerk and **ADOPTED**.

**Committee Amendment "A" (S-473) as Amended by Senate Amendment "A" (S-485)** thereto was **ADOPTED**.

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

Under further suspension of the rules the Bill was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (S-473) as Amended by Senate Amendment "A" (S-485)** thereto in concurrence.

#### SENATE PAPERS

The following Joint Order: (S.P. 742)

ORDERED, the House concurring, that, in accordance with emergency authority granted under the Maine Revised Statutes, Title 3, section 2, the Second Regular Session of the 128th Legislature is extended for up to 5 legislative days.

Came from the Senate, **READ** and **PASSED**.

**READ**.

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

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

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

Representative TUELL: Madam Speaker, Ladies and Gentlemen of the House, I rise today to support the pending motion. I do so because I believe, more than anything, that it is our responsibility to finish the job we started 15 months ago. Whether we agree or disagree on anything else, that and that alone is our charge. Oh, Madam Speaker, it is not an easy charge. There have been days, particularly over the past week or two, that the issues get hotter, when we've all been tested, twisted, torn, troubled and tired. Some have lost their temper; I confess I have. No doubt, some have lost faith in the process, question why we are here when we could be on a flight to Florida, as my family is right now to see a newborn nephew, or back in our districts with family and friends. Yet, we are here, and the fact that we are having a debate on whether to extend is sad, because regardless of how we got here, we still have a job to do.

I've spoken several times in the past year or two about running cross-country with the Representative from Ellsworth, who was a much faster runner than I in high school, rarely lost a race, as a matter of fact; but one thing we had in common is that we both started the race and we both finished it. Sure, it

was a lot harder for me, I had to have a guide, the hills were steeper, three miles seemed like 300 more often than not, and sometimes, when it got really bad, I'd find myself throwing up in the bushes. Pardon me for being graphic, Madam Speaker, but I never quit a race because the going got tough, and I never came in last, either. But that is where we are today, with the state potentially coming in last. And no matter how much we all hate that we're still here, no matter how much we all want to be somewhere else, we have a job to do, and the people who sent us here expect us to do it.

Some in this chamber really, really, really want tax conformity, Medicaid expansion, help for direct care workers who are grossly underpaid, money for the county jails, small children with funding to help children with severe developmental issues, a prison in Washington County, an end to the proficiency-based diploma mandate, a highway bond, every Maine law enforcement officer fully protected when they put on their uniform; and that's just a few issues that this herring choker from Downeast Maine can come up with off the top of his head. Every single one of us here has things we are passionate about, things we care deeply about, promises we made, and we owe it to the people who sent us here to at least try to resolve them as best we can, not walk away and take our chances that we may come back.

As I recall, a couple of years ago, there was an attempt to reconvene the House and Senate. At that time, members -- through a special session. At that time, members were polled whether they would support coming back or not. Whether that was the right decision or the wrong one, we never came back for a special session, and it was not a given we will come back for one if we walk out the door now.

Another point I want to address is what would happen if the shoe was on the other foot. What if any one of us on this side were in your position today, Madam Speaker: my friends on this side of the aisle were sitting on the opposite side, and you and your Democratic colleagues were sitting in our seats. I would hope you would extend. If you did not, I would have no problem saying you were obstructionists, undermining the institution of the Legislature, and weakening the very fabric of our state government; and I would, in my own opinion, I would be right, because regardless of who is in the Majority, regardless of who is in the Minority, regardless of what they want and what they need, we still have a job to do. If we walk away today, we are making it that much easier for the next Legislature to walk away, and the next and the next, and the 150th. Please think about whether it is worth such a precedent-setting maneuver. And if you don't agree with --

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

Representative TUELL: And if you don't agree with any other argument I've made today, think on this; we lost two session days to weather this year. Our Committees lost the better part of a week. Where would we be if we had them back? When your kids' school is canceled, they make it up. When we cancel, we should be making it up. Have we really gotten so far away from common sense that we can't see what's right before us? I sincerely hope not, because I believe every single one of us, whether we have to go puke in the bushes or stumble across the finish line, knows that quitting is not an option. Thank you, Madam Speaker.

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

Representative KINNEY: Thank you, Madam Speaker. Madam Speaker, Men and Women of the House, I stand in disappointment of the pending motion. At the time my

disappointment began in regards to that we would be in this place today, we hadn't yet had a double session or even a full five-day week in session. In fact, we had our first double session only yesterday; that is, if you can call a one-hour session in the morning and a one and a half-hour session in the afternoon a double session. Last week was the only week we've spent five days in one week in session. If we really needed this extra time in order to get our work done, we should've been here on Wednesdays throughout the month of March, not just the final week of March. We also should've been here on April 6th, a scheduled day that was canceled because we didn't have enough work to do. That was only a couple weeks ago. Maybe it's because we've Tabled too much work for later in today's session, which we in this chamber understand doesn't really mean later in today's session. Maybe it's because committees didn't complete their scheduled work by the deadlines set in statute. Maybe it's because leaders across the board ignored the rules and allowed too many carryover bills from the first session to this one. Or, maybe too many bills made it past Legislative Council that didn't meet requirements for second session bills, emergency and budgetary in nature. Or, maybe the rules don't apply to the 128th Legislature and I missed when we suspended them, though I don't think this is correct.

It is 6:04 p.m., April 18, 2018; statutory adjournment. It seems to me that if the business we have not completed yet was important enough to come before us, then we should've been here working when statute said we should be here. Instead, we're debating spending in the vicinity of \$40,000 a day for 186 legislators to receive per diem pay at the cost of Maine taxpayers, to do the work we failed to do over the last three and a half months. Thank you.

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

Representative **BERRY**: Thank you, Madam Speaker. Madam Speaker and Men and Women of the House, I am voting in support of an extension of session tonight, because I'm not ready to give up on the good work that we've done to move forward the serious energy policy for the State of Maine. This session, in my Committee we've worked tirelessly on an idea brought forward by the Chief Executive and the Representative from Newport. When they proposed LD 260 to create the Maine Energy Office, we came together and passed good bipartisan work to ensure that we can finally equip Maine with a well-staffed professional office that would chart our long-term future for energy. If passed and funded, this bill would allow Maine to stand up more effectively for our state's interests in the northeastern energy markets; markets which are complex, interrelated, and deeply impactful to Maine's economy.

It's often been said, Madam Speaker, that Maine's relatively high energy costs are a barrier to greater economic growth, and that's true, and LD 260 would help with that. There are some other priorities we've worked on. Broadband is one of those, and I want to thank the good Representative from Naples for the Maine by the Numbers flyer from the Maine Heritage Policy Center. It reminded me, Madam Speaker, that Maine is, as stated there, 44th, and that may be a little optimistic, actually, but by this number, 44th in average internet speed in the 50 states. We have work to do there as well. And there is a bill before the Appropriations Committee that would allow us to move forward on that. There's also a report, Madam Speaker, from the Department of Economic and Community Development, DECD, that just came out, and it calls for an investment in broadband, starting this year with a

minimum of \$40 million. Now, that may be more than we can afford, Madam Speaker, but I think the point the DECD is making, the point that the Maine Heritage Policy Center is making is that we have work to do, and we should not adjourn until that work is done.

Madam Speaker, there's a bill that we hope to act on before we adjourn regarding audits of a large utility that has had some issues with billing and a lot of concern from ratepayers. An investigation is ongoing at the Public Utilities Commission, and by law right now, Madam Speaker, the ratepayers will pay for that audit. The cost may be half a million dollars, it may be more. Our law says that the customers, who are the aggrieved parties in this case, will pay for that investigation. I hope that we don't adjourn tonight, Madam Speaker, before we've had a chance to vote on that bill.

Madam Speaker, we're not getting paid any more, and I understand that, but we have work to do. And growing up on a farm in Bowdoinham, I was taught that we didn't finish -- we didn't walk away until our work was done. Failing to extend the session tonight would erase this good work, these opportunities. I'm not ready to give up on our efforts to put Maine in greater control of our energy or broadband destiny, Madam Speaker, and so I urge all of my colleagues here to vote in favor of the pending motion. Thank you.

The SPEAKER: The Chair will remind Members that the House is in order. It's growing quite loud in here. If people have conversations, they are welcome to take them outside the chamber while we are in session. The Chair recognizes the Representative from Rockport, Representative Casás.

Representative **CASÁS**: Thank you, Madam Chair. I'll be very brief. I don't support the pending motion, but I'm going to vote in favor of it. I feel like it's kind of rewarding bad behavior, but I don't want to have our inability to work properly in this building negatively affect the citizens that we represent, so I will be voting in favor of the motion.

The SPEAKER: The Chair recognizes the Representative from Yarmouth, Representative Cooper.

Representative **COOPER**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. It's been suggested that our failure to work into the wee hours last week or the week before is somehow the cause of our inability to finish our work tonight; but this is truly too simple an explanation, and an inaccurate one. As we all know, having been here for two sessions, at least, that's not the way legislation is considered. As late as last week, we were still receiving new bills from the Chief Executive. As late as this afternoon, we were still -- in Taxation Committee, we were still negotiating key elements of the conformity legislation, a matter which is near and dear to the interests of all Mainers. It just doesn't work that you have these things waiting to be considered and it's just a question of working hard and getting it done. There are many moving parts to this process, and they're not all under our control, so we need this time in order to do the people's work. We have an obligation to do the people's work. Anything less is a failure on our part. Thank you.

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 the pending motion, simply because the delays here of getting work done have not been accidental. This is intentional. We've had plenty of chances to spend longer hours here and we just haven't done it. The tabling that goes on and on, day after day, tells me that these issues aren't

important. They surely aren't emergencies. We've had plenty of time do this, and right now we have about five hours and 45 minutes to finish the important issues. If we put them on the table, I'm certain we can do it before midnight. Thank you, Madam Speaker.

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

Representative **TIPPING**: Thank you, Madam Speaker. Madam Speaker, we're here until the job's done. It is a lie to say that we could finish the issues before us before midnight tonight. Madam Speaker --

The SPEAKER: The House will be in order. One person rising for a Point of Order is certainly sufficient, and whoever banged on their desk, if I saw who it was, would be removed from the chamber. That is one warning to every single person in this chamber. The Chair recognizes the Representative from Dixfield, Representative Pickett, and inquires as to what his Point of Order is.

Representative **PICKETT**: Thank you, Madam Speaker. Questioning the motives of other people.

On **POINT OF ORDER**, Representative PICKETT of Dixfield objected to the comments of Representative TIPPING of Orono because he was questioning the motives of other members of the House.

The SPEAKER: The Chair will remind the member, Representative Tipping, that a specific word he used was unacceptable in this Chamber. Please make sure your comments fall inside the lines of decorum while you are making your point.

The Chair reminded Representative TIPPING of Orono that it was inappropriate to question the motives of other members of the House.

The SPEAKER: The Representative may continue.

Representative **TIPPING**: Madam Speaker, I apologize to the body. It would be mistaken to say that we could finish all the important work that lies before us tonight. A red light on the board on this issue would be a red light on conformity. We have worked tirelessly in the Taxation Committee, across party lines, to come to a place where we could pass a bill in both chambers to achieve tax conformity this year. Madam Speaker, that bill has not touched the floor of this chamber since we sent it to Committee. It is through no fault of anyone in this chamber that that bill is not here, and even if it was here, there are two reports. To get that bill to a place where we could pass it in both chambers would require hours and hours of work from nonpartisan staff in this building. Madam Speaker, a red light on the board on this motion is a vote against conformity.

The SPEAKER: The Chair recognizes the Representative from Monmouth, Representative Ackley.

Representative **ACKLEY**: Thank you, Madam Speaker, Friends of the House. The theme of the day today seems to be fitting for the times: gridlock. That's the theme, gridlock. We seem to be unable to finish all of the governing that the voters sent us to do this session. We seem to be stuck. The people of Maine expect more. They did not send us here to try to dominate one another, to impose our will. They sent us here to find agreement. When the voters don't get satisfaction from a paralyzed government because we disagree then they resort to taking matters into their own hands. It's one of the reasons why we've had so many citizens' initiatives. It's one of the reasons why the level of public frustration with this body is high. It's why the voters, all too often, think that their votes do not count.

Madam Speaker, this Representative would like to say to my voters, the voters of Litchfield, Monmouth, and Wales, that it's getting late, it's getting late into the night, but I'm still here today because I'm ready to work through the issues that the voters sent me here to take a look at. I'm ready to come back tomorrow and I would be willing to come back another day. In fact, if you asked me to come back next week, I would do that, too, because it's what I signed up for. It's what they asked me to do. Madam Speaker, I think the voters have grown weary of a government that sits on its hands and refuses to do its job because we cannot find a way to talk to one another. They're tired of inaction, they've had enough of excuses, and they expect us to make state government work to address their needs at the speed that we all know is possible. Thank you, Madam Speaker.

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

Representative **FECTEAU**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. I think a really good example of work that has -- was just recently completed in Committee is LD 1654. I'm rising in support of the pending motion. LD 1654 is "An Act To Protect Economic Competitiveness in Maine by Extending the End Date for Pine Tree Development Zone Benefits." We met just last week in our Committee to wrap up a few more language changes. This has been a long process. If we adjourn today, we are potentially hurting hundreds of businesses statewide who would use the Pine Tree Development Zone credit to significantly reduce or eliminate state taxes for up to ten years, so that they can create good-paying jobs or move existing jobs back to Maine. In 2016, Pine Tree Zone-certified companies employed 32,000 Mainers, and of that, over 9,500 were jobs that were added after they became Pine Tree Zone certified. There was a payroll of over \$460 million in 2016 for those 9,500 jobs, with total payroll topping \$1.6 billion. The Department of Economic and Community Development testified before Committee the following: "There's no doubt in my mind that if this program simply sunsets, as it is due to sunset this year, at the end of this year, Maine's economy would suffer." I think it bears repeating: Maine's economy would suffer. Those businesses are in industries that include biotechnology, aquaculture and marine technology, composite material technology, environmental technology, advanced technologies for forestry and agriculture, manufacturing and precision manufacturing, information technology and financial services. We should not abandon our economy's backbone businesses, our ability to attract new ones, or the communities that rely on them, in the final hours of this session. I urge my colleagues in the House to vote in favor of the pending motion.

The SPEAKER: The Chair recognizes the Representative from Westbrook, Representative Gattine.

Representative **GATTINE**: Thank you, Madam Speaker, Women and Men of the House. Today I will vote in support of the pending motion and the extension before us for a very simple reason; it's got nothing to do with looking backwards and trying to point fingers at what's happened over the last few months, it's about looking forward. And, by looking forward, I mean that we have to recognize that the work of this chamber isn't done. We haven't finished our work. Now, let me focus a little bit about what's going on down in the Appropriations Committee. We met today and talked about it for a while. We have, as of last Friday, 125 bills on the Appropriations table. Since Friday, and the two days that we've been here in session, additional bills have landed on the Appropriations table. Those bills total over \$195 million in proposed spending

just in fiscal year 2019. These bills represent all of the work, Madam Speaker, that the members of this chamber have done, that the committees have done, that have been supported or opposed by Maine people who have driven here to Augusta from all over the state to voice their opinion, and I don't see how we can just walk away and leave all that work undone when all we need to do is stay here for a few more days and do the work that the people sent us here to do.

We know that -- you know, we talk a lot, obviously, down in Appropriations, we talk a lot about money, obviously. We know our revenue forecast projects Maine's General Fund will exceed original estimates by almost \$129 million. We didn't know that when we walked in here. We didn't know that until March. And we need to remember and understand that our fiscal health is only as meaningful as the health and well-being of Maine people. Right now, we are facing a devastating opioid epidemic, a significant number of children living in deep poverty, tens of millions of dollars in unmet needs within the Department of Health and Human Services, and an economy that demands the attention of all of us; and I know that you see all of that on a day-to-day basis in your committee work and in your communities, and I see it in my committee work and in my communities. That's why you submitted legislation. That's why we have bipartisan bills that support firefighters, and nurses, and people with intellectual disabilities, and seniors, and children and schools, and we need to do the work that we were sent here to do. So, Madam Speaker, I know this is a -- I know there seems to be quite a difference of opinion on this matter, but I think if we really thought about it and had cooler heads, we would understand that it's important to pass this motion, for us to stay here and get the job done that the Maine people sent us here to do. Thank you.

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

Representative **HARVELL**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. Ever since I lost my job at Verso, this has been the only job I've got, so I'm poor; and one of the things that I do is I actually drive -- I drive for Community Concepts, so one of the things I've attempted to do is try to work around the schedule of being in the Legislature, which is what we mostly do. So, on the way in, I'll try to schedule some rides that mean I can drive my way in here so I can make a few bucks on my way in; and then two weeks ago, we were told that we were going to go into double session, so I had to re-change my whole schedule, only to find out we didn't have a single one. I set up days to have the day off on Friday for a particular vote that I wanted to be here, only the fact it got canceled. And today, I drove, between the time we left to the time we got back, over 200 miles, and got back before the session started. So, I think we've all had a lot of time.

The SPEAKER: The Chair recognizes the Representative from Turner, Representative Timberlake.

Representative **TIMBERLAKE**: Madam Speaker, Ladies and Gentlemen of the House, I think there's been a lot of very kind comments here, but my dad told me when I was a young man that poor management on your part, son, does not create a crisis on my part. And, he told me that more than once in my life when I didn't get my homework done on time, or I didn't get my chores done on time, or I didn't get the other things done on time. We heard the Representative from Westbrook, Gattine, tell us that we still have a hundred and some bills left on the table in Appropriations.

Well, folks, for three weeks at Appropriations, if you look at our calendar, it says "to be determined." Ladies and Gentlemen of the House, Madam Speaker, we haven't worked

on but four bills on the Appropriations in the last three weeks, maybe five, I don't know; and we haven't had the world famous backroom discussions in Appropriations or nothing. There has been zero urgency at all, Madam Speaker, to get the job done. This is a game that has been played forever. There is a whole bunch of bills that the good Representative brought up that when we sat around the Appropriations table today, we could've very easily passed that ten or 15 bills off that are really important, independently, and sent them up here to stand on their own. It would've taken us all of ten to 15 minutes to do that. It was bills that we all agree on, the home healthcare workers, the nursing homes, and they could've come up and, remember, they don't have to go to us. The other body just takes them off the table and either passes them or not, and they go to the Chief Executive. They don't come back to us. So, to say that we need to do this in order to finish our work, I don't believe that's true. I believe the other body could do that today. As a matter of fact, when we go to have pizza this evening, the Appropriations Committee could go down and set around the horseshoe and vote off the ten or 20 or 30 bills that they want, independently, and send them up here.

Now, it's been said that we can't do that because that's not how we've done it in the past. Well, folks, there's a lot of things, Madam Speaker, that we haven't done in the past that we do here now. And I don't think the people of Maine would be upset if we went home, because I think the people of Maine, and the people of this great country, are getting sick and tired of watching politicians argue and fight over the most tedious things. So, I personally believe they would say good, go home and get out of our hair and stop doing damage. But we can fix the problem that needs to be fixed here today when we go to supper. We can go down to the Appropriations Table, we've seen it run in this place before, run a hundred bills in about 15 minutes. I think we did the Chief Executive's vetoes, I think we averaged 15 seconds a veto on a line item veto about four years ago; so to say that we cannot accomplish what we need to accomplish tonight and still go home, I don't necessarily, Madam Speaker, think that's true. So, I say that we got another five and a half hours, we go eat our pizza, we'll go to work, move those bills off the table, and we'll come out here and go home and everybody will be funded. Maybe tax conformity won't get done, maybe minimum wage won't get slowed down, maybe Medicaid expansion won't happen, but it'll be there, and we can always come back if it's a crisis. This isn't an emergency session. We're over it. Thank you.

The SPEAKER: The Chair recognizes the Representative from Lewiston, Representative Golden.

Representative **GOLDEN**: Thank you, Madam Speaker. Madam Speaker, we've been here for three or four months now, we've had a lot of time, it's been a long process, it's been a slow process. Everyone here knows legislative time is slower than normal time. A lot of hurry up and wait. And along the way, there's been some good work that's been done. We've passed some important laws since we came here. There's also been a lot of bills that have been rejected.

To be completely honest, we all know that the majority of bills that get brought forward in every Legislature, in every session, fail. And when I look at the long list of thousands of bills that have been brought forward since I was elected, I think, frankly, we can all agree that's probably a good thing. The legislative process is, out of necessity, slow and grinding. It's supposed to be thoughtful and deliberative. It's slow. There's all kinds of different ways that bills come forward and they fail. Some of them don't get weeded out and they climb

their way up and go forward because they're necessary, and they become law. We've seen bills that never make it out of Committee. Some bills never make it to Committee; they die on referencing between the two bodies. We see bills that die between these chambers when we can't come to an agreement, finding compromise. That's okay. There's also a limited number of bills almost every year that are, I think, worthy of long, thoughtful deliberation, and they usually make their way down into Appropriations where they're placed on the Approps table. Like I said, it's a good, slow process. It's meant to be this way. These are tough, complex issues that we're struggling with that require complex solutions and, you know, almost every year that I've been here, around this time of year, there's all of a sudden this building pressure, a rush all of a sudden to try and get things done. It reminds me of a saying, that slow is smooth and smooth is fast.

There's no need to hurry right now. We can choose to stay here a little bit longer and keep working to try and solve some really important issues for the people of the State of Maine. We can stay at the table, continue to seek compromise, work together on bills that are still here in this chamber, still here in this building, some down at Appropriations; try to help people in Maine, like nursing home, homecare workers that care for our seniors and people with disabilities. There's a transportation bond to fix our roads and bridges. That's something we've been able to get done every year since I got here, because I know we all care about the well-being of our infrastructure. We've got to help Mainers that are struggling to overcome opiate addiction, take steps to meet our workforce needs, like recruiting and training more nurses. It's commonly known that we have a massive workforce shortage problem in this state. We have to try and expand healthcare coverage to 70,000 Mainers, as we were directed to do by Maine voters last November; these and many other all-important priorities to many of us on both sides of the aisle; and we know that some time, actually right here before us right now, a vote is going to be taken whether or not to extend this session and stay here to continue negotiating in good faith. But, to do that, we need to have four willing partners to commit to keep working hard to find compromise, so that we can do our job and accomplish the work that we were sent here to do. Every individual here in this chamber has a decision to make. Vote to stay at the table and find compromise, if we can. It's not a given, but we ought to try; or we can let the gridlock stand in the way. I, personally, will be voting for compromise, and I encourage all of my colleagues in the House, Madam Speaker, to follow my light. Thank you very much.

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

Representative **HERBIG**: Thank you, Madam Speaker, Women and Men of the House. Last year, dozens of developmentally and intellectually disabled Mainers and their loved ones came to the State House to ask us for desperately-needed funds for the critical services they rely, that each of them rely on, that each of their family members desperately rely on. We looked them in the eyes and told them we would. We promised them we would stop cutting reimbursement rates for the group homes that they live in. We promised them we would shorten the waitlist so they can finally access the care they need now, instead of waiting up to eight years for help. We promised them the state was done deciding that they were not worth the cost of care. We promised them that we would fund half of what they needed in the biennial budget, and that we would come back this session to finish the job, to do our jobs. We still haven't done that. I am voting in support of the

extension so we can keep our promise to the developmentally and intellectually disabled Mainers who are counting on us.

And, Madam Speaker, as the good Representative has said before me, a lot of Mainers are counting on us right now. Business owners and their employees, firefighters, rural communities across our state are all counting on us. They are waiting for legislation that we are currently working on to be funded. If we choose to walk away from them now, at the finish line, Madam Speaker, they will remember. You know, if you don't want to do the work, don't run for the Legislature.

The SPEAKER: The Representative will defer. The Chair recognizes the Representative from Chelsea, Representative Sanderson, and inquires as to her Point of Order.

Representative **SANDERSON**: It's been a long day, Madam Speaker, that's perfectly fine. You know, I don't think that comment, if you don't want to do the work don't run for the Legislature, was appropriate. The whole point of what we are trying to say is we've wanted to do the work but we've wanted to do the work in a timely manner, and I feel that comment was out of order.

On **POINT OF ORDER**, Representative SANDERSON of Chelsea objected to the comments of Representative HERBIG of Belfast because she was questioning the motives of other members of the House.

The SPEAKER: The Chair will remind the Representative, in her comments, to remember that comment was not appropriate.

The Chair reminded Representative HERBIG of Belfast that it was inappropriate to question the motives of other members of the House.

The SPEAKER: The Representative will continue.

Representative **HERBIG**: Thank you, Madam Speaker. If you are unwilling to remain at the table to do your job, don't work for the people of Maine. Thank you.

The SPEAKER: The Chair recognizes the Representative from Waterboro, Representative Prescott.

Representative **PRESCOTT**: Thank you very much, Speaker, and Members of the House. I agree; let's stay and get this job done. I recommend we pull female genital mutilation with the Senate Amendment right off the table right now and vote on it.

The SPEAKER: The Chair recognizes the Representative from Oakland, Representative Perkins.

Representative **PERKINS**: Thank you, Madam Speaker. I wasn't going to rise but I just, I'm compelled because I like to work. I'm here every day, every day that I'm required to be here, every time, bright and early. I think we missed our call here because we're here to be at 10 o'clock, we don't start until 11:40. I think we got to go to work. That's what we're here for. I'm just so upset when someone says if I don't want to do my job, don't be here. That really bothers me. Thank you, Madam Speaker.

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

Pursuant to 3 M.R.S.A., Section 2, this Joint Order required the affirmative vote of two-thirds of those present for **PASSAGE**.

**ROLL CALL NO. 630**

YEA - Ackley, Alley, Austin B, Babbidge, Bailey, Bates, Battle, Beebe-Center, Berry, Blume, Brooks, Bryant, Cardone, Casas, Collings, Cooper, Daughtry, DeChant, Denno, Devin, 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, Perry, Pierce T, Reckitt, Riley, Rykerson, Sanborn, Schneck, Sheats, Spear, Stanley, Strom, Sylvester, Talbot Ross, Tepler, Terry, Tipping, Tucker, Tuell, Warren, Zeigler, Madam Speaker.

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

ABSENT - Chapman, Sherman, Ward.

Yes, 82; No, 66; Absent, 3; Excused, 0.

82 having voted in the affirmative and 66 voted in the negative, with 3 being absent, and accordingly the Joint Order **FAILED PASSAGE** in **NON-CONCURRENCE** and was sent for concurrence.

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

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The SPEAKER: The Chair recognizes the Representative from Biddeford, Representative Grohman, who wishes to address the House on the record.

Representative **GROHMAN**: Thank you, Madam Speaker. If I could have everyone's attention for a minute, just to make a quick announcement. I want to thank everybody for all of your help with the Vietnam ceremony. It was a good day and the pictures are ready online, hopefully you found that, and I've ordered prints of each of you with the veterans that you invited, and the Bureau of Veterans Services will be delivering those to you; and if you'll indulge me, I'd like to do just one more quick thing. I think when I read the names of the Mainers still missing in action from Vietnam, maybe some of you noticed there was a Terry Hanley and I'd like to give a very quick backstory on that, if I may.

Terrence Hanley disappeared from the skies over North Vietnam on January 1, 1968. Terry was the fifth of 10 children born to Florence and Edward Hanley of Gardiner. He graduated from Gardiner High School and from St. Anselm College with highest honors. He then enlisted in the U.S. Navy, attended flight school and was assigned to fly off an aircraft carrier. Newly married and expecting his first child, Terry was stationed in the Philippines at Cubi Point. After a long tour of duty, for his last mission, he was assigned with two others to fly as a co-pilot aboard an A3 Skywarrior reconnaissance aircraft over North Vietnam. The plane was to fly from the naval station in the Philippines to their target area and then recover at Da Nang Air Base, South Vietnam, for refueling. The mission was for surveillance of enemy lines of communication. They were flying at low altitude but encountered anti-aircraft missile fire and were hit. The aircraft flew for about 20 minutes longer, turned southeast toward the South China Sea, at which point it disappeared from the radar. No further contact was made with the aircraft. The Navy conducted an intensive search, but no trace of the plane or its

occupants were ever found. Terry never met his only child, a son, Terry, Jr., who was born a few months after his disappearance. His parents never had proper closure regarding their beloved son before they died. Without a body, there is always lingering doubt, even in the face of reality. I think we all hope for the day when that flag-draped coffin will come home. He left a small town to fight the good fight. He will not be forgotten. Lieutenant Terrence Higgins Hanley, the older brother of the good Representative from Pittston, was a true American hero. Thank you, Madam Speaker.

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**CONSENT CALENDAR**

**First Day**

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

(H.P. 1327) (L.D. 1894) Bill "An Act To Correct Errors and Inconsistencies in the Laws of Maine" (EMERGENCY) Committee on **JUDICIARY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-782)**

On motion of Representative HERBIG of Belfast, 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.

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

**ROLL CALL NO. 631**

YEA - Ackley, Alley, Austin B, Babbidge, Bailey, Bates, Battle, Beebe-Center, Berry, Bickford, Blume, Brooks, Bryant, Campbell, Cardone, Casas, Cebra, Chace, Chapman, Collings, Cooper, Corey, Daughtry, DeChant, Denno, Devin, Doore, Duchesne, Dunphy, Espling, Farnsworth, Fay, Fecteau, Foley, Frey, Fuller, Gattine, Gerrish, Gillway, Golden, Grant, Guerin, Haggan, Hamann, Handy, Harlow, Hawke, Herbig, Hickman, Higgins, Hogan, Hubbell, Hymanson, Johansen, Jorgensen, 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, Perry, Pierce T, Pouliot, Reckitt, Riley, Rykerson, Sampson, Sanborn, Schneck, Seavey, Sheats, Sirocki, Spear, Stanley, Stearns, Sylvester, Talbot Ross, Tepler, Terry, Theriault, Tipping, Tucker, Tuell, Warren, Winsor, Zeigler, Madam Speaker.

NAY - Austin S, Black, Bradstreet, Craig, Dillingham, Farrin, Fredette, Ginzler, Grignon, Hanington, Hanley, Harrington, Harvell, Head, Hilliard, Kinney J, Kinney M, Lockman, Lyford, Mason, O'Connor, Ordway, Parry, Perkins, Picchiotti, Pierce J, Prescott, Reed, Sanderson, Simmons, Skolfield, Stetkis, Stewart, Strom, Sutton, Timberlake, Turner, Vachon, Wadsworth, Wallace, White, Wood.

ABSENT - Grohman, Herrick, Pickett, Sherman, Ward.

Yes, 104; No, 42; Absent, 5; Excused, 0.

104 having voted in the affirmative and 42 voted in the negative, with 5 being absent, and accordingly the **Unanimous Ought to Pass as Amended Report** was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (H-782)** was **READ** by the Clerk and **ADOPTED**.