

MAINE STATE LEGISLATURE

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

Daily Edition

Second Regular Session

beginning January 8, 2014

beginning page H-1301

ROLL CALL NO. 708

YEA - Beaudoin, Beavers, Beck, Berry, Bolduc, Briggs, Brooks, Campbell J, Campbell R, Carey, Casavant, Cassidy, Chapman, Chase, Chenette, Chipman, Clark, Cooper, Daughtry, DeChant, Devin, Dickerson, Dill, Dion, Doak, Dorney, Evangelos, Farnsworth, Fowle, Fredette, Gattine, Gideon, Gilbert, Goode, Graham, Grant, Hamann, Harvell, Hayes, Herbig, Hickman, Hobbins, Jorgensen, Kaenrath, Kent, Keschl, Kornfield, Kruger, Kumiega, Kusiak, Lajoie, Libby N, Longstaff, Luchini, MacDonald W, Marks, Mastraccio, McCabe, McGowan, McLean, Monaghan-Derrig, Moonen, Moriarty, Morrison, Nadeau A, Nelson, Pease, Peoples, Peterson, Plante, Pouliot, Powers, Priest, Pringle, Rankin, Rochelo, Rotundo, Russell, Sanborn, Saucier, Saxton, Schneck, Short, Stanley, Stuckey, Theriault, Tipping-Spitz, Treat, Tyler, Verow, Villa, Welsh, Werts, Willette, Wilson, Winsor, Mr. Speaker.

NAY - Beaulieu, Bennett, Black, Cotta, Crafts, Cray, Crockett, Davis, Dunphy, Duprey, Espling, Fitzpatrick, Gifford, Gillway, Guerin, Harlow, Jackson, Johnson P, Jones, Kinney, Knight, Libby A, Lockman, Long, MacDonald S, Maker, Marean, McClellan, McElwee, Newendyke, Nutting, Parry, Peavey Haskell, Reed, Sanderson, Sirocki, Timberlake, Turner, Volk, Wallace, Weaver, Winchenbach, Wood.

ABSENT - Ayotte, Boland, Frey, Hubbell, Johnson D, Malaby, Mason, Nadeau C, Noon, Rykerson, Shaw.

Yes, 97; No, 43; Absent, 11; Excused, 0.

97 having voted in the affirmative and 43 voted in the negative, with 11 being absent, and accordingly **House Amendment "C" (H-834)** was **INDEFINITELY POSTPONED**.

Subsequently, the Bill was **PASSED TO BE ENGROSSED as Amended by House Amendment "B" (H-833)** and sent for concurrence.

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

CONSENT CALENDAR

First Day

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

(H.P. 314) (L.D. 464) Bill "An Act To Change Compensation for Career and Technical Education Region Cooperative Board Meeting Attendance" Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "B" (H-836)**

(H.P. 357) (L.D. 538) Bill "An Act To Align Costs Recognized for Transfer of Nursing Facilities and Residential Care Facilities with Ordinary Commercial and Government Contracting Standards" Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "B" (H-837)**

(H.P. 630) (L.D. 906) Bill "An Act To Permit a School Administrative Unit Discretion Concerning Participation of Students from Charter Schools in School Extracurricular and Interscholastic Activities" Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "B" (H-838)**

(H.P. 829) (L.D. 1185) Bill "An Act To Enhance Efforts To Use Locally Produced Food in Schools" Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "B" (H-839)**

Under suspension of the rules, Second Day Consent Calendar notification was given.

There being no objection, the House Papers were **PASSED TO BE ENGROSSED as Amended** and sent for concurrence.

SENATE PAPERS

Non-Concurrent Matter

Joint Order To Recall L.D. 1619 from the Governor's Desk to the House

(H.P. 1350)

READ and **PASSED** in the House on April 14, 2014.

Came from the Senate **READ** and **INDEFINITELY POSTPONED** in **NON-CONCURRENCE**.

The House voted to **RECEDE AND CONCUR**.

ENACTORS

Emergency Measure

An Act To Achieve the Savings Required under Part F of the Biennial Budget and To Change Certain Provisions of the Law for Fiscal Years Ending June 30, 2014 and June 30, 2015

(H.P. 1349) (L.D. 1858)

(H. "B" H-833)

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

The **SPEAKER**: The Chair recognizes the Representative from Lewiston, Representative Rotundo.

Representative **ROTUNDO**: Thank you, Mr. Speaker. Mr. Speaker, Men and Women of the House. I rise today in support of the bipartisan budget we have before us. I urge you to support LD 1858. Not only does it pay our bills, it also solves some of our greatest challenges facing the state. It's also life changing for many of the most vulnerable people we serve. Our bipartisan proposal provides critical funding for seniors, individuals with disabilities, and for those struggling with mental illness. The \$32 million budget will fund services for people with disabilities on the DHHS waitlist. It will increase reimbursements for Maine's struggling nursing homes. It funds critical services required under the state's court ordered Mental Health Consent Decree, and increases funds for safety and security at Riverview and Dorothea Dix. By passing this budget, we can reduce and eliminate the DHHS waitlists so many of us have spoken passionately about. Hundreds of Maine people with disabilities and their families will now have the relief of knowing they can get the care and services they desperately need. By passing this budget, we can help nursing homes in rural areas from shutting their doors to our seniors. For many of these low-income seniors, this is their only option. By passing this budget, we are helping to prevent a mental health crisis in our communities and ensure our state's psychiatric facilities are safe and adequately staffed. In addition to funding key Health and Human Services initiatives, this collaborative budget adds funding to the education programs including the Bridge Year Program and funding for Jobs for Maine's Graduates.

I'm proud to say we worked collaboratively to fund these key priorities for our most vulnerable, for our children and students, and for our workforce. When we first started our work this year, our committee faced an unprecedented task: to build a budget from scratch with no proposal and limited information from the Chief Executive. Many predicted we would fail. Like so many times before, many on the outside wondered how we would get it done. I'm pleased and proud to say that, once again, we prevailed. Not only did our committee come together to pay the

bills, we were also able to fund shared priorities on behalf of the people that we serve.

I'd especially like to thank the Appropriations members in both chambers for their incredible stamina, commitment and keen intelligence. This budget is such a testament to their thoughtful and hard work, and I extend to them my heartfelt thanks for all that they did. I want to thank the Representative from Wells, Representative Chase, for staying at the table as we successfully worked through our differences. I'm grateful to the Speaker for his support and leadership. And, finally, I want to thank the Revisor's office, our analyst Maureen Dawson, and all the staff in the Office of Fiscal and Program Review for their continuing outstanding work that has made this budget possible. The budget before you today is the reflection of the hard work and commitment of many people and I urge you to support it. Thank you.

The SPEAKER: The Chair recognizes the Representative from Wells, Representative Chase.

Representative **CHASE**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. I'll be very brief. In the world of budgets, this \$30 million or so supplemental budget is actually small. But I can tell you it delivers much needed benefits and with credible funding. That's the best you can probably say in any supplemental budget. I do want to say thank you to the whole committee. The Appropriations Committee has been wonderful to work with for the last two years, and I want to say thank you to all the staff, and I certainly hope you'll look at this budget in the same way I do, is for a small bill, it does great things with credible funds. Please vote for this. Thank you.

Representative **BERRY** of Bowdoinham **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 Winterport, Representative Brooks.

Representative **BROOKS**: Mr. Speaker, may I pose a question to the Chair?

The SPEAKER: The Representative may pose his question.

Representative **BROOKS**: Mr. Speaker, do you know or do you have access to what happen to this bill in the other body this morning? I guess I'm just a little confused, Mr. Speaker. I thought it usually told us on the bottom of this report the actions of the other body.

The SPEAKER: It was engrossed in concurrence. The other body engrossed LD 1858 in concurrence.

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.

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

ROLL CALL NO. 709

YEA - Beaudoin, Beaulieu, Beavers, Beck, Bennett, Berry, Black, Bolduc, Briggs, Brooks, Campbell J, Campbell R, Carey, Casavant, Cassidy, Chapman, Chase, Chenette, Chipman, Clark, Cooper, Cotta, Cray, Crockett, Daughtry, DeChant, Devin, Dickerson, Dill, Dion, Doak, Dorney, Dunphy, Duprey, Espling, Evangelos, Farnsworth, Fitzpatrick, Fowle, Fredette, Gattine, Gideon, Gilbert, Gillway, Goode, Graham, Grant, Guerin, Hamann, Harlow, Harvell, Hayes, Herbig, Hickman, Hobbins, Hubbell, Jackson, Johnson P, Jorgensen, Kaenrath, Kent, Keschl, Kinney, Knight, Kornfield, Kruger, Kumiega, Kusiak, Lajoie, Libby A, Libby N, Longstaff, Luchini, MacDonald S, MacDonald W, Maker, Malaby, Marean, Marks, Mason,

Mastraccio, McCabe, McElwee, McGowan, McLean, Monaghan-Derrig, Moonen, Moriarty, Morrison, Nadeau A, Nadeau C, Nelson, Newendyke, Nutting, Parry, Pease, Peavey Haskell, Peoples, Peterson, Plante, Pouliot, Powers, Priest, Pringle, Rankin, Reed, Rochelo, Rotundo, Russell, Sanborn, Sanderson, Saucier, Saxton, Schneck, Short, Sirocki, Stanley, Stuckey, Theriault, Tipping-Spitz, Treat, Turner, Tyler, Verow, Villa, Volk, Wallace, Weaver, Welsh, Werts, Willette, Wilson, Winchenbach, Winsor, Wood, Mr. Speaker.

NAY - Crafts, Davis, Gifford, Jones, Lockman, Long, McClellan, Timberlake.

ABSENT - Ayotte, Boland, Frey, Johnson D, Noon, Rykerson, Shaw.

Yes, 136; No, 8; Absent, 7; Excused, 0.

136 having voted in the affirmative and 8 voted in the negative, with 7 being absent, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

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

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

Representative **REED**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. In a few weeks many of the men and women of this body, who presently serve in the service of our country or have served in times past, will be out marching in parades, and giving speeches in honor of other men and women who have served their country in the armed forces.

Some of these now serving in this house will be leaving us at the end of this session due to term limits, and personal decisions, and we will miss them. But we are thankful that our lives have been made richer for having known them, even for this short period of time.

With this in mind, Mr. Speaker, I rise today tribute to pay tribute to all the men and women of this House who have served in the armed forces. Every day that we begin proceedings in this House, I am reminded that but for the grace of God and the sacrifices of the military men and women of our country, and some of our allies around the world, we would not be opening this House in prayer each morning.

We would not be singing, "Oh say can you see by the dawn's early light, what so proudly we hailed at the twilight's last gleaming." We would not be singing, "My Country 'tis of thee, Sweet land of liberty, Of thee I sing." We would not be discussing, within these walls, ways to make our state a better place to live. We would not be talking about Medicare expansion, the right to bear arms, or balanced budgets.

No, my friends, things would be very different here in this house; they would be different all across our land, and they would be different all over the free world. That is why I stand today, to say, "thank you," to our military friends here in this House and down the hall. I know, as attempt to express this sentiment of gratitude for your service, I speak for the entire body here today.

When thinking of how could appropriately show our appreciation today, I sought to find the answer among the people of words, the poets and the songwriters. Some of these words came from the very soldiers themselves that saw war up close and personal, and some of the words came from observing the effects of the war upon others. I hope this will convey to all of our service men and women, our sincere thanks and serve to remind