

MAINE STATE LEGISLATURE

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

Daily Edition

First Regular Session

beginning December 5, 2012

beginning at page H-1

ONE HUNDRED AND TWENTY-SIXTH LEGISLATURE
FIRST REGULAR SESSION
54th Legislative Day
Wednesday, June 5, 2013

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

Prayer by Venerable Khen Rinpoche Lobzang Tsetan, Geluqpa Lineage in the Mahayana Buddhist Tradition, Freeport.
National Anthem by Winslow Junior High Concert Band.
Pledge of Allegiance.
Doctor of the day, David McDermott, M.D., Dover-Foxcroft.
The Journal of yesterday was read and approved.

SENATE PAPERS
Non-Concurrent Matter

An Act Regarding Reconstruction of Residential Structures on Sand Dunes (EMERGENCY)

(S.P. 384) (L.D. 1102)
(C. "A" S-132)

FAILED of **PASSAGE TO BE ENACTED** in the House on June 3, 2013.

Came from the Senate **PASSED TO BE ENACTED** in **NON-CONCURRENCE**.

Representative EVES of North Berwick moved that the House **RECEDE AND CONCUR**.

This being an emergency measure, a two-thirds vote of all the members elected to the House being necessary, a total was taken. 124 voted in favor of the same and 2 against, and accordingly the Bill was **PASSED TO BE ENACTED** in concurrence.

Subsequently, the House voted to **RECEDE AND CONCUR**.

COMMUNICATIONS

The Following Communication: (S.C. 422)

MAINE SENATE
126TH LEGISLATURE
OFFICE OF THE SECRETARY

June 4, 2013

Honorable Millicent M. MacFarland
Clerk of the House
2 State House Station
Augusta, Maine 04333
Dear Clerk MacFarland:

Please be advised the Senate today adhered to its previous action whereby it accepted the Majority Ought Not to Pass Report from the Committee on Health and Human Services on Bill "An Act To Encourage Transparency in the Disclosing of the Ingredients in Vaccinations for Children" (H.P. 505) (L.D. 754), in non-concurrence.

Best Regards,
S/Darek M. Grant
Secretary of the Senate

READ and **ORDERED PLACED ON FILE**.

The Following Communication: (S.C. 423)

MAINE SENATE
126TH LEGISLATURE
OFFICE OF THE SECRETARY

June 4, 2013

Honorable Millicent M. MacFarland
Clerk of the House

2 State House Station
Augusta, Maine 04333
Dear Clerk MacFarland:

Please be advised the Senate today insisted to its previous action whereby it accepted the Majority Ought Not to Pass Report from the Committee on Insurance and Financial Services on Bill "An Act Regarding Subrogation of Medical Payments Coverage" (H.P. 507) (L.D. 756), in non-concurrence.

Best Regards,
S/Darek M. Grant
Secretary of the Senate

READ and **ORDERED PLACED ON FILE**.

REPORTS OF COMMITTEE
Ought to Pass as Amended

Report of the Committee on **INSURANCE AND FINANCIAL SERVICES** on Bill "An Act To Streamline the Charitable Solicitations Act"

(S.P. 438) (L.D. 1277)

Reporting **Ought to Pass as Amended by Committee Amendment "A" (S-145)**.

Came from the Senate with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-145) AS AMENDED BY SENATE AMENDMENT "A" (S-165)** thereto.

Report was **READ** and **ACCEPTED**. The Bill was **READ ONCE**. **Committee Amendment "A" (S-145)** was **READ** by the Clerk. **Senate Amendment "A" (S-165)** to **Committee Amendment "A" (S-145)** was **READ** by the Clerk and **ADOPTED**. **Committee Amendment "A" (S-145) as Amended by Senate Amendment "A" (S-165)** 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-145) as Amended by Senate Amendment "A" (S-165)** thereto in concurrence.

Divided Reports

Majority Report of the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** reporting **Ought Not to Pass** on Bill "An Act To Repeal the Law Allowing Concealed Weapons in State Parks with Certain Exceptions"

(S.P. 410) (L.D. 1173)

Signed:

Senator:
PLUMMER of Cumberland

Representatives:

DION of Portland
LONG of Sherman
MARKS of Pittston
PEASE of Morrill
TYLER of Windham
WILSON of Augusta

Minority Report of the same Committee reporting **Ought to Pass** on same Bill.

Signed:

Senators:
GERZOFKY of Cumberland
DUTREMBLE of York

Representatives:

CASAVANT of Biddeford
KAENRATH of South Portland
LAJOIE of Lewiston
PLANTE of Berwick

Came from the Senate with the Majority **OUGHT NOT TO PASS** Report **READ** and **ACCEPTED**.
READ.

Representative DION of Portland moved that the House **ACCEPT** the Majority **Ought Not to Pass** Report.

On further motion of the same Representative, **TABLED** pending his motion to **ACCEPT** the Majority **Ought Not to Pass** Report and later today assigned.

Majority Report of the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** reporting **Ought Not to Pass** on Bill "An Act To Allow School Administrative Units To Establish Rules, Procedures and Guidelines for Properly Trained Staff To Carry a Concealed Handgun on School Property while Acting in Their Official Capacities"

(S.P. 515) (L.D. 1429)

Signed:

Senators:

GERZOFSKY of Cumberland
DUTREMBLE of York

Representatives:

DION of Portland
CASAVANT of Biddeford
KAENRATH of South Portland
LAJOIE of Lewiston
PLANTE of Berwick

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (S-150)** on same Bill.

Signed:

Senator:

PLUMMER of Cumberland

Representatives:

LONG of Sherman
MARKS of Pittston
PEASE of Morrill
TYLER of Windham
WILSON of Augusta

Came from the Senate with the Majority **OUGHT NOT TO PASS** Report **READ** and **ACCEPTED**.
READ.

Representative DION of Portland moved that the House **ACCEPT** the Majority **Ought Not to Pass** Report.

On further motion of the same Representative, **TABLED** pending his motion to **ACCEPT** the Majority **Ought Not to Pass** Report and later today assigned.

Majority Report of the Committee on **EDUCATION AND CULTURAL AFFAIRS** reporting **Ought to Pass** on Bill "An Act To Establish a Moratorium on the Approval and Operation of Virtual Public Charter Schools" (EMERGENCY)

(S.P. 340) (L.D. 995)

Signed:

Senators:

MILLETT of Cumberland
JOHNSON of Lincoln

Representatives:

MacDONALD of Boothbay
DAUGHTRY of Brunswick
HUBBELL of Bar Harbor
KORNFIELD of Bangor
NELSON of Falmouth
RANKIN of Hiram

Minority Report of the same Committee reporting **Ought Not to Pass** on same Bill.

Signed:

Senator:

LANGLEY of Hancock

Representatives:

JOHNSON of Greenville
MAKER of Calais
McCLELLAN of Raymond
POULIOT of Augusta

Representative SOCTOMAH of the Passamaquoddy Tribe - of the House - supports the Majority **Ought to Pass** Report.

Came from the Senate with the Majority **OUGHT TO PASS** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED**.

READ.

Representative MacDONALD of Boothbay moved that the House **ACCEPT** the Majority **Ought to Pass** Report.

Representative FREDETTE of Newport **REQUESTED** a roll call on the motion to **ACCEPT** the Majority **Ought to Pass** 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 Majority Ought to Pass Report. All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 193

YEA - Beavers, Beck, Berry, Boland, Briggs, Brooks, Campbell J, Carey, Cassidy, Chapman, Chenette, Chipman, Cooper, Daughtry, DeChant, Devin, Dickerson, Dill, Dion, Dorney, Evangelos, Fowle, Frey, Gattine, Gideon, Gilbert, Goode, Graham, Grant, Hamann, Harlow, Hayes, Herbig, Hickman, Hobbins, Hubbell, Jones, Jorgensen, Kaenrath, Kent, Kornfield, Kruger, Kumiega, Kusiak, Lajoie, Libby N, Longstaff, Luchini, MacDonald W, Marks, Mason, Mastraccio, McCabe, McGowan, McLean, Monaghan-Derrig, Moonen, Moriarty, Morrison, Nadeau C, Nelson, Noon, Peoples, Plante, Powers, Priest, Pringle, Rankin, Rochelo, Rotundo, Russell, Rykerson, Sanborn, Saucier, Saxton, Schneck, Shaw, Short, Stanley, Stuckey, Theriault, Tipping-Spitz, Treat, Verow, Villa, Welsh, Werts, Winchenbach, Mr. Speaker.

NAY - Ayotte, Beaulieu, Bennett, Black, Campbell R, Casavant, Chase, Clark, Cotta, Crafts, Cray, Crockett, Davis, Doak, Dunphy, Duprey, Espling, Fitzpatrick, Fredette, Gifford, Gillway, Guerin, Harvell, Jackson, Johnson D, Johnson P, Keschl, Kinney, Knight, Libby A, Lockman, Long, MacDonald S, Maker, Malaby, Marean, McClellan, McElwee, Nadeau A, Newendyke, Nutting, Pease, Peavey Haskell, Pouliot, Reed,

Sanderson, Sirocki, Timberlake, Turner, Tyler, Volk, Wallace, Weaver, Willette, Wilson, Winsor, Wood.

ABSENT - Beaudoin, Bolduc, Farnsworth, Parry, Peterson.

Yes, 89; No, 57; Absent, 5; Excused, 0.

89 having voted in the affirmative and 57 voted in the negative, with 5 being absent, and accordingly the Majority **Ought to Pass** Report was **ACCEPTED**.

The Bill was **READ ONCE**.

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** in concurrence.

Under suspension of the rules, members were allowed to remove their jackets.

Majority Report of the Committee on **STATE AND LOCAL GOVERNMENT** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-153)** on Bill "An Act To Amend the Androscoggin County Charter"

(S.P. 366) (L.D. 1084)

Signed:

Senators:

LACHOWICZ of Kennebec

COLLINS of York

GERZOFKY of Cumberland

Representatives:

GRAHAM of North Yarmouth

BOLAND of Sanford

BOLDUC of Auburn

COTTA of China

MacDONALD of Old Orchard Beach

NADEAU of Winslow

NADEAU of Fort Kent

PEASE of Morrill

Minority Report of the same Committee reporting **Ought Not to Pass** on same Bill.

Signed:

Representatives:

CHENETTE of Saco

HAYES of Buckfield

Came from the Senate with the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-153)**.

READ.

Representative GRAHAM of North Yarmouth moved that the House **ACCEPT** the Majority **Ought to Pass as Amended** Report.

On further motion of the same Representative, **TABLED** pending her motion to **ACCEPT** the Majority **Ought to Pass as Amended** Report and later today assigned.

Majority Report of the Committee on **VETERANS AND LEGAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-148)** on Bill "An Act To Facilitate the Expansion of the State's Liquor Distribution System"

(S.P. 318) (L.D. 941)

Signed:

Senator:

TUTTLE of York

Representatives:

LUCHINI of Ellsworth

FOWLE of Vassalboro

LONGSTAFF of Waterville

RUSSELL of Portland

SAUCIER of Presque Isle

SCHNECK of Bangor

Minority Report of the same Committee reporting **Ought Not to Pass** on same Bill.

Signed:

Senators:

MASON of Androscoggin

PATRICK of Oxford

Representatives:

BEAULIEU of Auburn

GIFFORD of Lincoln

JOHNSON of Eddington

KINNEY of Limington

Came from the Senate with the Minority **OUGHT NOT TO PASS** Report **READ** and **ACCEPTED**.

READ.

Representative LUCHINI of Ellsworth moved that the House **ACCEPT** the Majority **Ought to Pass as Amended** Report.

Representative FREDETTE of Newport **REQUESTED** a roll call on the motion to **ACCEPT** the Majority **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**: The Chair recognizes the Representative from Auburn, Representative Beaulieu.

Representative **BEAULIEU**: Thank you, Mr. Speaker. Mr. Speaker, Men and Women of the House. Thank you for the opportunity to speak. When current limitations were adopted in 2009, Maine had approximately 367 agency stores. It seems like a decent number to me. By the end of 2010, the total number of agency stores licensed statewide had increased to 413. Today, there are 466 agency stores statewide and an additional 17 licensed applications are currently pending but not yet issued. Maine has approximately 119 new stores since the close of 2009. I think if they were honest, as most Mainers interested in acquiring this particular product, I would suggest that they don't have difficulty getting it at all. So I really would urge you to vote against the pending motion. I don't think or believe that additional stores is going to make it easier. If anything, it's going to have adverse effects and it will impact stores already in existence, who will lose business as a direct result of market share having to be changed as a consequence of that kind of a decision. So I am hoping that you will vote against the pending motion and adopt the Minority Report. Thank you, sir.

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

ROLL CALL NO. 194

YEA - Beavers, Beck, Berry, Boland, Briggs, Brooks, Campbell J, Casavant, Cassidy, Chapman, Chenette, Chipman, Cooper, Cotta, Cray, Daughtry, DeChant, Devin, Dickerson, Dill, Dion, Dorney, Evangelos, Fowle, Frey, Gattine, Gideon, Gilbert,

Goode, Graham, Grant, Hamann, Harlow, Hayes, Herbig, Hickman, Hobbins, Hubbell, Jones, Jorgensen, Kaenrath, Kent, Keschl, Kinney, Kornfield, Kruger, Kumiega, Kusiak, Lajoie, Libby A, Longstaff, Luchini, MacDonald W, Marks, Mason, Mastraccio, McCabe, McGowan, McLean, Monaghan-Derrig, Moonen, Moriarty, Morrison, Nadeau C, Nelson, Noon, Nutting, Peoples, Plante, Powers, Priest, Pringle, Rankin, Rochelo, Russell, Rykerson, Sanborn, Saucier, Saxton, Schneck, Shaw, Short, Sirocki, Stanley, Stuckey, Theriault, Tipping-Spitz, Treat, Turner, Verow, Villa, Welsh, Werts, Wilson, Mr. Speaker.

NAY - Ayotte, Beaulieu, Bennett, Black, Campbell R, Carey, Chase, Clark, Crafts, Crockett, Davis, Doak, Dunphy, Duprey, Espling, Fitzpatrick, Fredette, Gifford, Gillway, Guerin, Harvell, Jackson, Johnson D, Johnson P, Knight, Libby N, Lockman, Long, MacDonald S, Maker, Malaby, Marean, McClellan, McElwee, Nadeau A, Newendyke, Parry, Pease, Peavey Haskell, Pouliot, Reed, Rotundo, Sanderson, Timberlake, Tyler, Volk, Wallace, Weaver, Willette, Winchenbach, Winsor, Wood.

ABSENT - Beaudoin, Bolduc, Farnsworth, Peterson.

Yes, 95; No, 52; Absent, 4; Excused, 0.

95 having voted in the affirmative and 52 voted in the negative, with 4 being absent, and accordingly the Majority **Ought to Pass as Amended** Report was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (S-148)** was **READ** by the Clerk and **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-148)** in **NON-CONCURRENCE** and sent for concurrence.

Majority Report of the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-326)** on Bill "An Act To Deregulate Face-to-face Transactions between the People and Small Farms and Small Food Producers"

(H.P. 914) (L.D. 1287)

Signed:

Senators:

JACKSON of Aroostook
SHERMAN of Aroostook

Representatives:

DILL of Old Town
BLACK of Wilton
CRAY of Palmyra
MAREAN of Hollis
NOON of Sanford
TIMBERLAKE of Turner

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "B" (H-327)** on same Bill.

Signed:

Representatives:

HICKMAN of Winthrop
JONES of Freedom
KENT of Woolwich
SAUCIER of Presque Isle

READ.

Representative DILL of Old Town moved that the House **ACCEPT** the Majority **Ought to Pass as Amended** Report.

The **SPEAKER**: The Chair recognizes the Representative from Winthrop, Representative Hickman.

Representative HICKMAN: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. I rise in opposition to the pending motion. I would like to tell you the story of why I became a farmer. I hope my story makes it clear why I presented LD 1287, "An Act To Deregulate Face-to-face Transactions between the People and Small Farms and Small Food Producers," and how important it will be to vote against the pending motion and pass the Minority Report, which helps small farmers in Maine a whole lot more than the Majority Report. More importantly, the Majority Report does not honor the people who demand the freedom and the liberty to decide what food they want to eat and who they want to buy it from. The story is entitled "Collard Greens" and I wrote it in November of 2009 in preparation of my 20th anniversary reunion at Harvard University.

For two years, they didn't have garden-fresh collard greens.

For all of my childhood in Milwaukee, Wisconsin, my father grew a small garden in our back yard that yielded incredible produce. We didn't call it organic gardening back then. There was no need for such a description. It was what it was: gardening. No chemical fertilizers, no chemical pesticides.

Well. *Almost*. One year – I cannot remember how old I was but I was in elementary school – the insects were so bad, my father chose to shake garden dust over all his yet-to-fruit tomato plants, which were being devoured by hornworms. He cried. He was afraid he might poison his family. Afraid that we would starve if we did not have any tomatoes to eat fresh or can for later so he chose drastic action. But he left alone the collards and the other leafy greens. "I can't shake no dust on those. They go directly into our mouths, so we're going to have to pick the bugs off with our fingers.

Fast-forward, summer 2009, I stood amidst my collards in one of the many gardens on our 25-acre organic farm in central Maine talking to my pregnant sister on the phone. I told Gina that my collards were not growing as well as I would have liked. That because of the unceasing rain the insects were winning.

That's when she told me.

In the last two years of our father's life, when the pancreatic cancer made him too weak to tend his garden, she and my mother had no fresh collards. The rose chafers, Japanese beetles, cabbage worms and whatever else loves this bittersweet *brassica* had devoured the leaves down to skeletons.

"He simply had no energy, Craig. And we couldn't help because it would have been an admission that we knew he was sick, and since he never told us he was sick, we couldn't let him know that we knew."

I simply could not fathom my family back home in Milwaukee went two years without Daddy's collards. Could not fathom why my sister had never told me about it until just then. Could not fathom why my mother had never told me about it *at all*.

I stood amidst my insect-infested collards and wept.

Losing my father on March 14, 2007, a month to the day after he turned 87, began the most transformative right of passage in my life to date. The man who taught me about discipline, respect, honor, dignity; about how to rise up after being knocked down; how to dream great dreams, how to love, how to *live* had left this world and

left a hole in my soul as big as the lake on which my farm sits.

Two years later, in early spring, when I finally came up from under, I saw my father walk from the side of the road right up the gravel driveway and into our house. I don't know if I was sleeping or awake, but I saw him nonetheless. Later that day, I stood before the unquilted stretch of land and told my beloved of my plans to become a *bona fide* farmer. He thought I was crazy. Said it was too much. That I would never keep to it.

I love a challenge. If you tell me I can't do something, I'm determined to prove you wrong.

Five months later, I opened a farm stand on the side of the road right in front of our house and began selling the succulent vegetables our land offered up. Now, I'm addicted to growing things. I have turned a mere half-acre of our farm into a sweep of organic gardens. Composted manure from around the barnyard, a small tiller for cultivation, a few farm hands, a garden rake, hoe and pitchfork, a mosquito net as necessary, and as many daylight hours as the sun above can muster is all we count on to produce our harvest.

Now, I can't stop opening a new patch of earth to plant some new variety of heirloom tomatoes to round out the cornucopia from Annabessacook Farm: arugula, beets, Belgian endive, collards, kale, mesclun, mustard greens, romaine, Swiss chard, spinach, turnips, corn, carrots, celery, fennel, golden beets, radish, basil, chives, cilantro, parsley, rosemary, sage, tarragon, thyme, leeks, onions, scallions, black-eyed peas, okra, green beans, soybeans, sugar peas, and okra, several varieties of peppers, summer squash, and okra, winter squash, gourds, pumpkins, cucumbers, eggplant, asparagus, and okra, broccoli, gourds, pumpkins, cucumbers, eggplant, raspberries, strawberries, wild black raspberries, cantaloupe, watermelon, and anything else I can trick to grow in this northern climate. Can't stop. As though all the energy my father didn't have at the end of his life has fueled me to work from sun up to sundown, planting, weeding, hauling, turning, picking, packaging, selling. *Eating*. I'm even making fresh cheese and yogurt and ice cream from the goat milk we massage out of our goat every evening. Baking breads and quiches and pies and cakes and hearty cereals. Preparing meals for B&B guests, private dinner banquets for neighbors and friends.

And we've got two new greenhouses. Can't wait to see what they can produce in winter. Before long, we'll be growing our own wheat, making our own honey, slaughtering our own meat.

I stand on my father's shoulders. He whispers music over mine as I open the earth, loving her – desperately, tenderly, deeply, and whisks mosquitoes away from my ears so I can hear his music more clearly.

My father shows me the way

I have never been more committed to anything in my life, Mr. Speaker. Never been happier. There is simply nothing like living off the land and nothing simpler. Knowing exactly where your food comes from because you produce it yourself.

My customers appreciate every bag of spinach, jar of granola and yogurt, every crown of broccoli they get from the farm. And I appreciate them. Their concerns, their requests, their own gardening triumphs and failures. Our exchange of ideas and recipes and tricks. I never would have imagined I would become such an integral part of a

local food chain. Never would have imagined I could sell thousands of dollars of organic produce and homemade foods in a single season directly to patrons without vending at a farmer's market or supplying a restaurant. Never would have imagined folks would stop by simply to thank me for doing what I do, even though they buy their food at another local farm. I think now of Michael Pollan's words from his must-read book *In Defense of Food*, "In a short food chain...[f]ood reclaims its story, and some of its nobility, when the person who grew it hands it to you." Think about that. "In a short food chain...[f]ood reclaims its story, and some of its nobility, when the person who grew it hands it to you."

Face-to-face. Face-to-face. Face-to-face.

And so it was that when I looked one of our regular patrons in her face and told her the story of my father's collard greens, my sisters recent heartbreaking confession, we all shared a moment of spontaneous silence in his memory. And I swear to God, within a week, my collards were on their way to the biggest, sweetest, greenest collards I had ever grown.

Thank you, Mr. Speaker. I request a roll call.

The same Representative **REQUESTED** a roll call on the motion to **ACCEPT** the Majority **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: The Chair recognizes the Representative from Brooksville, Representative Chapman.

Representative **CHAPMAN**: Thank you, Mr. Speaker. Mr. Speaker, Friends and Colleagues of the House. I represent a district in which two years ago, when I stood before this body, three of my six towns had voted a local food ordinance. I said then that you should keep an eye on it. It was a movement that was going to spread. Today, four of my six towns have passed that ordinance and instead of there being a total of four in the state, there are now 10 towns in this state who have passed a similar ordinance. The bill before you is not a food sovereignty bill as expressed by those local food ordinances, but the bill that we are considering today does deal with some of the issues that sell some of the problems that was the impetus behind the start of the local food ordinance movement, and a couple of the problems that we want to sell, one is corruption and another is the underground marketplace of particular types of foods in this state. By corruption, what I mean is we have contradictory laws and we have inconsistent rule application regarding small diversified farms being able to be licensed, being able to be economically surviving and be able to prosper.

In my district, I have two farms, each of which has one cow, one farm. The Department decided to provide in writing what the requirements were for that farm to be licensed. Although those requirements did not fulfill the Department rules, they put it in writing, the person bought the license and has been selling raw milk at farm stands. The other farm, the other one cow farm, the inspector decided not to put in writing what they had asked the farm to do and instead he has been taken to court. He was now filed for bankruptcy. He's out of business. We have a situation in which the rules are applied inconsistently. It means we are open to corruption. We have farmers that use the Department as a wedge to gain competitive advantage by trying to report on practices on competing farms and trying to get the Department to clamp down on their competitors by the inconsistent application of the rules. These are real problems in our area and they would be solved by passing a face-to-face food bill. Now, the other problem is the underground marketplace. When the rule's

interpretation was changed by the Department a few years ago without any public process or public notice, a number of the small poultry farms in the state went out of business, but many of them went underground. Even the Poultry Growers Association people admit, in private conversation, that they are aware of the huge underground market in poultry products in this state. Unfortunately, when you have an underground market, the producer does not want to advertise who they are. A face-to-face bill would provide labeling of all the products that are sold directly from the producer to the consumer and eliminate the need for the underground market.

Now, the underground market also is a safety issue. This bill relates to safety in the following way. If you know where the food is coming from, you know who produced it and you have their address and their contact information on the label, if there is a problem, you know how to trace it. You can figure out what is responsible. Another aspect of the safety issue is that if you encourage local food sales, the food will be fresher and will have been faster getting from the farm to the table. Importantly, it also involves less handling. If you buy directly from the person who produces the food and there is a problem, the problem is in only one or two places, either the person you bought it from or yourself. You buy from a grocery chain, it may have gone through 10 or 20 different handlers, any one of which could have been an opportunity for a problem with the food. And finally, and most importantly, the future of the state economy depends upon small diversified farms. We have an excellent climate for growing food in Maine. Maine could not only supply its own food needs and not be the food importer that it is today, but we could actually be a food exporter, but the types of farms that we can run in this state are not the tens of thousands of acre farms on flat land that provide for huge machinery. We have land that is adaptable to small diversified farms. There is a growing movement for young people coming into the state to run small diversified farms. We have to do everything we can to help them out. Now, we can help them out and the way we do that is to support the Minority Report on this issue and that's why I will be opposing the motion before us, so we can get to the Minority Report. The Minority Report will stop the corruption, stop the underground marketing. It will provide a safer situation for our food supply and it will guarantee our economic future. Thank you, Mr. Speaker.

The SPEAKER: The Chair recognizes the Representative from Freedom, Representative Jones.

Representative **JONES**: Thank you, Mr. Speaker. Brothers and sisters of the House, I rise in opposition to the pending motion and urge you to vote Ought Not to Pass on the pending motion and endorse the Minority Report on LD 1278. The Minority Report, the less restrictive of the two reports, allows more freedom and more personal choice for our citizens and also requires more personal responsibility. I call out my brothers and sisters in this chamber who tout the ideals of regulation and personal accountability to support this Minority Report. I call you out. Formerly legitimizing and deregulating face-to-face transactions of food is of critical importance on many levels. It helps build the relationships upon which strong communities are dependent; it creates a foundation upon which we can build a local, resilient, robust and secure food economy; and it forms the basis of strong local economics. Let's talk for a moment about the economies of our current industrial food system. Mr. Speaker, when a citizen purchases a jar of sauerkraut from the local chain grocery, the monies spent will, yes, pay the wages of its local employees and the light and the heat in the building, but it will also pay for the gas and labor for trucking from some anonymous distant distribution site where the product is gathered from some anonymous distant processor who takes its share, of

course, which purchases cabbages and other ingredients from farms and suppliers, whose practices we don't know, who take their shares, and finally, we pay the shareholders and the executives of this anonymous grocery corporation. In other words, Mr. Speaker, our capital flows out of local community, and generally out of Maine, to enrich others elsewhere. Mr. Speaker, I would rather be able to buy that sauerkraut from my neighbor, face-to-face. I will be certain that that money I spent will be used to pay for her labor, to light and heat her home, to compensate her for the cost of production, and leave any profit in her hands and in our community.

Now, this capital remaining in our community helps create a local accumulation of capital and velocity of money that is necessary for a vibrant economy. Remember that "great sucking sound" that Presidential candidate Ross Perot mentioned many years, that's not money heading out of the United States to Mexico, that's the sound of your sauerkraut dollars flowing out of state to some destination unknown. Supporting face-to-face transactions of food is one, albeit small, way to stop this capital flight and give our local farmers and producers a comparative advantage. In a state where 1 in 5 of my brothers and sisters live in poverty, it's quixotic thinking to believe that magical multinational manufacturing firms will miraculously sprout, as by wish, and provide our citizens good paying jobs. If that happens in District 45, I swear, Mr. Speaker, I will do a cartwheel before this esteemed body. The way for Maine, especially rural Maine, to build a robust, resilient and sustainable economy is to rely on our own assets, resources, creativity and savvy. Mr. Speaker, we'll hear in this debate much talk about food safety. That, Mr. Speaker, is a red herring, plain and simple. There is no data – and I repeat – there is no data that face-to-face transactions are any less safe than conventional commercial transactions. For the benefit of informing the discussion before this deliberative body, I challenge anyone here who opposes the majority measure to produce any data to demonstrate that they are indeed less safe. We are, however, brothers and sisters of this House, well aware of instances where our industrial and commercial food supply system has failed us. We all remember salmonella spinach from California, the E coli hamburger in one of our local chain grocers, and who among us can forget pink slime?

Consider purchasing hamburger from a chain grocer who purchases from a distributor, who purchases from a meatpacker in Chicago, who slaughters thousands of animals a day, comingling the meat from dozens of cows from dozens of farms in one package of hamburger. Now consider purchasing hamburger from your neighbor. Be honest, Men and Women of the House, which do we really honestly, honestly believe is safer? Again, Mr. Speaker, the food safety argument is a red herring and again I challenge anyone making the argument that locally grown and processed foods exchanged in lightly regulated face-to-face transactions are any less safe than those of our industrial commercial food system to provide that data to confirm that. Mr. Speaker, it's no secret that in many ways we've lost much of our sense of community. Some of this may be attributed to the distance between our work and our homes, our self-contained entertainment systems, our changing value systems, our reliance on sophisticated security systems rather than the good will and trust of our neighbors. Whatever the cause, face-to-face transactions of food create an opportunity for rebuilding the neighborly relationships necessary for community development. Being invited by your neighbor for dinner is a little different from her offering homemade sauerkraut for sale. There is an intimate trust implicit in the relationship as well as accountability, and quite frankly, if her sauerkraut made me or my neighbor sick, which of course it won't, she certainly will make

greatest efforts to repair that relationship than my chain grocer will when he or she sells me an E coli burger. Mr. Speaker, the breakdown of trust is a cancer on society, the return of trust is a necessary component of building communities, and building trusting relationships through face-to-face sales of food can be a powerful force in returning that trust. Once again, and I repeat, I call out my brothers and sisters in this chamber, who tout the ideals of deregulation and personal accountability, to support this Majority Report and reject the pending motion. Once again, we've heard this before but I cannot help but repeat it, in the words of Henry Kissinger, "Control oil and you control nations; control food and you control the people." And I urge this Legislature to return the control of the exchange of foods to its citizens. Thank you, Mr. Speaker.

The SPEAKER: The Chair would remind members not to call out other members. The Chair recognizes the Representative from Amherst, Representative Lockman.

Representative **LOCKMAN**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. I rise to concur with the sentiments expressed by my good friend and colleague, the Representative from Winthrop, Representative Hickman. Actually, I went to the Revisor's office with a nearly identical bill back in the January but Representative Hickman got there first, otherwise this would have been my bill. But I do thank him for his leadership and for his eloquence on this issue. I should say also that the small farm community in Washington County that I represent, as they watched this process in the Legislature where the bill would originally would have simply legalized current practice, and I can tell you they are not impressed with how we make sausage here at the State House after they saw the end product. Again, the bill in its original form would simply legalize the current practice. Frankly, I don't know how our grandparents and our great-grandparents survived without the regulatory apparatus that is currently in place to protect us, supposedly. What the bill will simply do is get the nanny state out of voluntary food transactions between neighbors. It will ensure food freedom for consenting adults, and I urge you to follow my light and follow Representative Hickman's light. Thank you.

The SPEAKER: The Chair recognizes the Representative from Scarborough, Representative Volk.

Representative **VOLK**: Mr. Speaker, may I pose a question through the Chair?

The SPEAKER: The Representative may pose her question.

Representative **VOLK**: Thank you. I believe that the Labor, Commerce, Research and Economic Development Committee heard a somewhat similar bill, and I just recall that the Attorney General had felt that there was the potential for issues with the FDA and I just wondered if anyone knew anything about this regarding this bill or how it might be different. Thank you.

The SPEAKER: The Representative from Scarborough, Representative Volk, has posed a question through the Chair to anyone who may care to respond. The Chair recognizes the Representative from Winthrop, Representative Hickman.

Representative **HICKMAN**: Thank you, Mr. Speaker. In answer to the question, currently the Food and Drug Administration does not regulate face-to-face transactions between people. This bill will therefore legalize what we already do, it will protect small farmers from regulatory abuse, and it will ensure food freedom for consenting people.

The SPEAKER: The Chair recognizes the Representative from New Gloucester, Representative Espling.

Representative **ESPLING**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. I was looking at the two different reports and the original bill. I used to have, years ago, a small bread business that I did out of my home

kitchen and I sold the bread at a local farmer's market. So I am just trying to read through all of these different reports in trying to figure out the major difference between the reports and how that would impact a small home kitchen producer. I also sell eggs from time to time and one of the reports mentions eggs, so if I am allowed to pose a question, if someone could just explain to me the difference between the two reports. One does mention eggs and I am concerned about that, so if anyone knows, that would be great.

The SPEAKER: The Representative from New Gloucester, Representative Espling, has posed a question through the Chair to anyone who may care to respond. The Chair recognizes the Representative from Turner, Representative Timberlake.

Representative **TIMBERLAKE**: I had planned to speak. Is it okay if I do that now and answer the question at the same time?

The SPEAKER: The Representative may proceed.

Representative **TIMBERLAKE**: Thank you very much, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. I ask you to support the Majority Report. The difference in the two basically deals with some poultry meat products, but more importantly deals with foods and juices that produce or 4.6 in pH, and if you don't think that face-to-face is a problem in this, the farmers of a community, the Farm Bureau, all those supported the Majority Report. The Majority Report move back allows the Representative from New Gloucester to do what she wants to do now. She's got to put a label on it, do the face-to-face. But if you don't think that this is a problem in the face-to-face, at Nokomis High School, about 15 years ago, I told this earlier in the session, they were doing processing of cider there. They got it infected with botulism 556 and they got about nine kids really, really sick that were put in the hospital, and it affected the cider sales of all the farmers in the State of Maine, and that was a face-to-face transaction. This puts in rules and regulations on a few products that are really, really dangerous to handle and use, and should be processed in a certain process, and insist that they have to be processed this way, and you've got to follow a procedure. Other than that, you can make your jams and jellies at home. You can can your fiddleheads and put them out on the side of the road, do the face-to-face transaction and sell them. It allows everything else to happen in Majority Report. This just protects some really, really foods that are, you know, very susceptible to getting people sick, and I really ask that you support the Majority Report. It's the right report. It opens it up for everything. It just protects the people on a few very small items. Thank you very much.

The SPEAKER: The Chair recognizes the Representative from Rockland, Representative Dickerson.

Representative **DICKERSON**: Thank you, Mr. Speaker. I, too, have a couple of a questions and I appreciate the attempts being made by former Representatives who have spoken, but unfortunately I am still not quite getting it. So I've got a couple of questions here and hopefully they are clear enough that they can garner a yes or no answer. It appears to me that in reading these two amendments side by side that the main difference between the two is that one states that all licensing requirements would be stripped and one does have some licensing requirements; however, question number 1, I am still unclear in terms of which items, if I were to sell them from my home, would require licensing. For example, if I sell eggs from my home, yes or no will I need an inspection from someone who comes along and inspects eggs? It's very unclear here who is actually going to need an inspection and who will not. Then the second part of that question is how much would such an inspection cost and what would be involved? I'm afraid, I actually attended this and I'm still a little foggy on what this would all be, so my apologies.

But if somebody could help us out with that, that would be great. Thank you.

The **SPEAKER**: The Representative from Rockland, Representative Dickerson, has posed a series of questions through the Chair to anyone who may care to respond. The Chair recognizes the Representative from Old Town, Representative Dill.

Representative **DILL**: Basically, these bills, the Majority and Minority, are very similar. The bill goes through and explains what various things are such as agricultural producer, farm food product and that type of thing. The Majority, when we talk about farm food products, the Majority bill excludes milk and temperature controlled foods from being sold face-to-face. We were concerned about a food safety situation. The Minority Report also excludes milk, but they include food controlled substances in there. Both bills also require labeling. Basically, the Majority, to answer directly about eggs, no, you don't have to be licensed to sell eggs and the Majority also gives a report that says, yes, you do have to be licensed in some situations, and the Minority Report takes away, basically, a lot of the licensing requirements. Thank you.

The **SPEAKER**: The Chair recognizes the Representative from Freedom, Representative Jones.

Representative **JONES**: Thank you, Mr. Speaker. Mr. Speaker, Men and Women of the House. I would also like to answer the question in a slightly different way from the Representative from Old Town and I'd also like to address the concerns of the Representative from Turner. The Majority Report exempts high pH foods from this bill including, for example, cider, which unfortunately he's had a personal business misadventure with. But it would also exempt, as I mentioned in my testimony, sauerkraut, kimchee. Now that's a living, local, high pH food. If my neighbor wants to sell me sauerkraut, with all due respect to the Speaker, I am not going to call you out, but please think, do you know good sauerkraut from bad sauerkraut? Do you know good cider from bad cider? Do you know how to tell when a batch of canned tomatoes is bad or not? It's real simple. Look at the dome on the lid. If the dome is in, it's sealed; if it's popped up, it's bad. In other words, we have to respect the judgment of all of us in this matter. Regarding the question of the good Representative from Rockland who inquired about which are regulated and which are not, the purpose of this, okay, is to create food democracy among our people. If I go to a yard sale and pick up a car safety seat for my young child, do I know that it's going to meet the standards required? No, I don't. If I buy the car by the side of the road, this is "as is, where is." Is there implied merchantability in that case? If I go to a yard sale and buy a bicycle or a food blender and I plug it in and it doesn't work, guess what? Let the buyer beware. This is the essence of a free market and to have industrial commercial national standards imposed upon the local peoples of the State of Maine, when we are trying to build a local economy here, is oppressive, unacceptable and, quite frankly, undemocratic. Thank you, Mr. Speaker.

The **SPEAKER**: The Chair recognizes the Representative from Winthrop, Representative Hickman.

Representative **HICKMAN**: Thank you, Mr. Speaker. I'd like to just answer the question from the good Representative from Rockland on another difference in the bill that has been eluded to but not clarified. There is an anecdote that came before our committee on a meat slaughter bill and when we were discussing why a person in Fort Kent could slaughter deer for his neighbors, even though he doesn't sell the deer to them. They bring them the deer, he slaughters it, they take it home and eat it amongst their families. They do not resell it. We asked the question why

that same slaughterer cannot slaughter a cow from the same neighbor, and the answer we got from the Department was the cow is classified as an amenable species and therefore the facility must be licensed by the state, and I asked the Department a very simple question. Does that mean if I take my cow to my neighbor to have my neighbor slaughter my cow, give me all of the meat back and I only eat it amongst myself and with my family, I do not sell it, my neighbor's facility would have to be licensed by the state, even though he is doing me a favor and I'm not selling the meat in the marketplace or face-to-face? And I asked the question three times and I got the answer the same three times. Yes, your neighbor would have to have a facility licensed by the state which would require an inspector to come in to see if that facility met sanitation requirements. I am going to try to quote something that I just read the other day from a man who is a very good writer, and he said, "If local slaughterhouses could slaughter meat for local people, there would be no need for government to inspect sanitation because the local people would be inspecting that for themselves when they are watching the meat be slaughtered by their neighbor, but our federal government, through our state government, has put most of those small slaughterhouses out of business, forcing them to comply with regulations it does not ask of the large meatpacking industry in this country." And so that is the difference between these two bills. One bill would help a small farmer more than the other, because a homesteader may not raise meat, may only bake bread, but a farmer may do all those things and the Minority Report would help that small farmer more than the Majority Report. I hope I've made that clear. Thank you, Mr. Speaker.

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. For the love of God, can we please move this question now?

The **SPEAKER**: Is that a motion?

Representative **CAMPBELL** of Newfield **MOVED THE PREVIOUS QUESTION.**

The Chair ordered a division on the motion to **MOVE THE PREVIOUS QUESTION.**

The **SPEAKER**: The Chair recognizes the Representative from Winterport, Representative Brooks.

Representative **BROOKS**: Point of Order, Mr. Speaker. May I pose a question to the Chair?

The **SPEAKER**: The Representative may proceed.

Representative **BROOKS**: Is a motion to move the question allowable under Mason's rules?

On **POINT OF ORDER**, Representative **BROOKS** of Winterport asked the Chair to **RULE** if the motion was in order.

The **SPEAKER**: The Chair would answer pursuant to the House Rules, it is allowable. The motion is in order.

Subsequently, the Chair **RULED** that the motion was in order before the body.

A vote of the House was taken. 41 voted in favor of the same and 85 against, and accordingly the motion to **MOVE THE PREVIOUS QUESTION FAILED.**

The **SPEAKER**: The Chair recognizes the Representative from Waterboro, Representative Libby.

Representative **LIBBY**: Mr. Speaker, may I pose a question through the Chair?

The **SPEAKER**: The Representative may pose his question.

Representative **LIBBY**: I would like to know if anyone could answer in this body whether either report would supersede federal HACCP rules, and I ask that because unpasteurized juice has to follow HACCP rules at the federal level and for either report to supersede the HACCP rules, I think you have to get

notification involved, which I brought up a few different times, which usually doesn't meet in a good result. I'm just curious if anyone could answer whether or not either report deals with HACCP for unpasteurized juice. Thank you.

The SPEAKER: The Representative from Waterboro, Representative Libby, has posed a question through the Chair to anyone who may care to respond. The Chair recognizes the Representative from Palmyra, Representative Cray.

Representative **CRAY**: Thank you, Mr. Speaker, and I'd like to answer that question. None of the state rules supersedes federal rules. It's federal rules, state rules and then home rules. That's the way it works. State supersedes home rule and federal supersedes state.

The SPEAKER: The Chair recognizes the Representative from Standish, Representative Shaw.

Representative **SHAW**: Mr. Speaker, may I pose a question through the Chair?

The SPEAKER: The Representative may pose his question.

Representative **SHAW**: Where does the Farm Bureau stand on this bill, if anybody could answer.

The SPEAKER: The Representative from Standish, Representative Shaw, has posed a question through the Chair to anyone who may care to respond. The Chair recognizes the Representative from Turner, Representative Timberlake.

Representative **TIMBERLAKE**: Thank you, Mr. Speaker, and to go back to Representative Libby's, because we're having a small discussion so I missed Representative Shaw's, but to answer, the Majority amendment matches federal rules so we are not superseding federal law, where the Minority amendment does not match federal law. So we would have to nullify federal law in order to pass it. And I'm sorry, Representative Shaw. I didn't hear your question. The Farm Bureau is supporting the Majority Report.

The SPEAKER: The Chair recognizes the Representative from Freedom, Representative Jones.

Representative **JONES**: Mr. Speaker, I'd like to respond to the question posed by the good Representative from Waterboro. We have had discussions in this House upon nullification. Quite frankly, I would fully expect in a fully functioning democracy for the state to challenge any federal law that affects intrastate but not interstate commerce. In other words, when it comes down to my selling and I'll use the good Representative from Turner's example, my cider to my neighbor that does not cross state lines, I would fully expect the defense of our state in intrastate commerce and the Federal Government's authority to impose its will as regarded to interstate commerce.

The SPEAKER: The Chair recognizes the Representative from Winthrop, Representative Hickman.

Representative **HICKMAN**: Mr. Speaker, to answer the good Representative's question from Waterboro about superseding or nullification, I said it before and I was true. The FDA does not regulate face-to-face transactions right now. Private contracts are private contracts. In Wisconsin, some of you may have just heard that the people, a jury of farmers' peers, declared that a farmer was not guilty of operating a retail store without a license where he sold raw milk and all sorts of food that was made and prepared on the farm to people who agreed and entered into private contracts with this man to be a part of a buying club. The people spoke in that case very clearly that the state did not have the authority to license and inspect him. The Minority Report is what the people want. The Majority Report is what the Department wants. I am here for the people, not the Department, and that is why I ask this body to reject this motion and support the Minority Report. Thank you, Mr. Speaker.

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

ROLL CALL NO. 195

YEA - Ayotte, Beaulieu, Beck, Berry, Black, Briggs, Campbell J, Campbell R, Carey, Cassidy, Chase, Chenette, Clark, Cooper, Cotta, Crafts, Cray, Crockett, Davis, Dill, Dion, Doak, Dorney, Dunphy, Duprey, Fitzpatrick, Fowle, Fredette, Frey, Gattine, Gideon, Gifford, Gillway, Goode, Graham, Grant, Herbig, Hobbins, Hubbell, Jackson, Johnson D, Johnson P, Jorgensen, Kinney, Knight, Kornfield, Long, Longstaff, Luchini, MacDonald W, Marean, Marks, Mastraccio, McCabe, McClellan, McElwee, McGowan, Moriarty, Nadeau C, Newendyke, Noon, Nutting, Pease, Plante, Priest, Pringle, Rankin, Rochelo, Rotundo, Saxton, Schneck, Shaw, Short, Theriault, Timberlake, Tipping-Spitz, Treat, Tyler, Wallace, Weaver, Welsh, Willette, Winchenbach, Winsor, Wood, Mr. Speaker.

NAY - Beavers, Bennett, Boland, Bolduc, Brooks, Chapman, Chipman, Daughtry, DeChant, Devin, Dickerson, Espling, Evangelos, Gilbert, Guerin, Hamann, Harlow, Harvell, Hayes, Hickman, Jones, Kaenrath, Kent, Keschl, Kruger, Kumiega, Kusiak, Lajoie, Libby A, Libby N, Lockman, MacDonald S, Maker, Malaby, Mason, McLean, Monaghan-Derrig, Moonen, Morrison, Nadeau A, Nelson, Parry, Peavey Haskell, Peoples, Pouliot, Powers, Reed, Russell, Rykerson, Sanderson, Saucier, Sirocki, Stanley, Turner, Verow, Villa, Volk, Werts, Wilson.

ABSENT - Beaudoin, Casavant, Farnsworth, Peterson, Sanborn, Stuckey.

Yes, 86; No, 59; Absent, 6; Excused, 0.

86 having voted in the affirmative and 59 voted in the negative, with 6 being absent, and accordingly the Majority **Ought to Pass as Amended Report was ACCEPTED.**

The Bill was **READ ONCE. Committee Amendment "A" (H-326) was READ** by the Clerk and **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" (H-326)** and sent for concurrence.

Majority Report of the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** reporting **Ought Not to Pass** on Bill "An Act To Regulate and Tax Marijuana"

(H.P. 868) (L.D. 1229)

Signed:

Senators:

GERZOFKY of Cumberland
DUTREMBLE of York

Representatives:

DION of Portland
CASAVANT of Biddeford
LAJOIE of Lewiston
LONG of Sherman
MARKS of Pittston
PEASE of Morrill
PLANTE of Berwick
TYLER of Windham

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-324)** on same Bill.

Signed:
Senator:
PLUMMER of Cumberland

Representatives:
KAENRATH of South Portland
WILSON of Augusta

READ.

Representative DION of Portland moved that the House **ACCEPT** the Majority **Ought Not to Pass** Report.

On further motion of the same Representative, **TABLED** pending his motion to **ACCEPT** the Majority **Ought Not to Pass** Report and later today assigned.

CONSENT CALENDAR
First Day

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

(H.P. 129) (L.D. 154) Bill "An Act To Amend the Laws Governing Limited Liability for Recreational or Harvesting Activities" Committee on **JUDICIARY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-331)**

(H.P. 332) (L.D. 482) Bill "An Act To Improve the Quality of the Data Used in the Management of Maine's Fisheries" Committee on **MARINE RESOURCES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-335)**

(H.P. 367) (L.D. 548) Bill "An Act To Amend the Laws Governing the Award of Spousal Support in Divorce Actions" Committee on **JUDICIARY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-330)**

(H.P. 519) (L.D. 768) Bill "An Act To Increase Access to Voter Lists" Committee on **VETERANS AND LEGAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-329)**

(H.P. 883) (L.D. 1249) Bill "An Act To Make Statutory Changes To Address Certain Conflicting Requirements of the Maine Rules of Professional Conduct and the Federal Developmental Disabilities Assistance and Bill of Rights Act of 2000 Regarding Maine's Protection and Advocacy Agency" Committee on **JUDICIARY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-332)**

(H.P. 985) (L.D. 1384) Bill "An Act To Amend Article 9-A of the Uniform Commercial Code" (EMERGENCY) Committee on **JUDICIARY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-333)**

(H.P. 1113) (L.D. 1544) Bill "An Act To Expand the Authority of Lobster Management Policy Councils To Address Entry into Lobster Management Zones and To Create a Temporary Medical Allowance" (EMERGENCY) Committee on **MARINE RESOURCES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-334)**

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.

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

BILLS IN THE SECOND READING
House

Bill "An Act To Reapportion the Districts of the State Senate, State House of Representatives and County Commissioners"
(H.P. 1126) (L.D. 1557)

Was reported by the Committee on **Bills in the Second Reading** and **READ** the second time.

Representative McCABE of Skowhegan **PRESENTED House Amendment "A" (H-337)**, which was **READ** by the Clerk.

The **SPEAKER**: The Chair recognizes the Representative from Skowhegan, Representative McCabe.

Representative **McCABE**: Thank you, Mr. Speaker. Mr. Speaker, Men and Women of the House. This amendment corrects erroneous county designations from certain House Districts, makes them technical changes to reflect the proper names of the areas in the unorganized territory. This amendment also adjusts some expiration of terms for certain county commissioners to ensure terms remain staggered. I would say that this amendment is the final bow on a bipartisan compromise after several months of work, hard effort of staff and elected officials to pass a bipartisan agreement on redistricting. I hope that folks will support this effort today as we move forward. Thank you, Mr. Speaker.

The **SPEAKER**: The Chair recognizes the Representative from Mapleton, Representative Willette.

Representative **WILLETTE**: Thank you, Mr. Speaker. Mr. Speaker, Men and Women of the House. As the good Representative from Skowhegan said, this is the final part of a five-month very intense process of redrawing our districts. The Reapportionment Commission did an excellent job at working together and getting out a unanimous report on what would arguably be one of the hardest and most politically charged things to do in this building. So if we can do that, we can do pretty much anything. So this amendment is a great amendment. It just fixes a few errors in putting the plan together and I urge you all to support it.

The **SPEAKER**: The Chair recognizes the Representative from Scarborough, Representative Volk.

Representative **VOLK**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. I also rise in support of the motion proposed by the Representative from Skowhegan and I echo the sentiments of the Representative from Mapleton that this was an excellent process. As a member of the commission, I have been very proud to see the way that we've been able to do our work in a bipartisan manner and I urge all of you to support this motion. Thank you.

The **SPEAKER**: The Chair recognizes the Representative from Arundel, Representative Parry.

Representative **PARRY**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. I just wanted to echo the previous speakers and the two, the minority and majority, assistance on this bill. It has been a long process but a very good process. It's really good to see that when we come together, we can come out with a good product and this amendment, as the distinguished gentleman from Skowhegan mentioned, is just technical changes to the bill. Any of you that have seen the bill would see it's pretty easy to mess up a couple of lines here and there. So I hope you can support this bill. Thank you very much.

The **SPEAKER**: The Chair recognizes the Representative from Augusta, Representative Pouliot.

Representative **POULIOT**: Thank you, Mr. Speaker. Mr. Speaker, Men and Women of the House. It looks like we are going right in succession here, from the front to the back. It was an honor to be a part of this commission. It really, I think, shows a testament to the fact that we can work together in a bipartisan fashion. I know not everybody got out of this process maybe

what they were hoping for, but it was a compromise and we were able to come and find common ground. To me, it was very rewarding to be part of that process. I just want to thank all of those who were involved, and I do support the pending motion. The amendment is reflective of some technical changes that need to be made, but they do reflect the will of the commission and, hopefully, that you can all support this today. Again, I just want to say it was an honor to be part of this and I look forward to passing this so that we can have our districts for the next 10 years. It's quite an honor to be part of that process and thank you all.

The SPEAKER: The Chair recognizes the Representative from Friendship, Representative Evangelos.

Representative **EVANGELOS**: Thank you, Mr. Speaker. Mr. Speaker, Men and Women of the House. There are five Independent/Unenrolled candidates in the other body and the House. We have absolutely no say so. I am opposing the redistricting. It is one of the worst jobs of gerrymandering I have ever seen, quite frankly. Speaking from my own district, I lost 7,000 of my 8,800 voters. Not having a seat at the table should be a violation of the Fourteenth Amendment. We have no equal protection. We happen to have a United States Senator who is an Independent, Unenrolled. We've had strong gubernatorial candidates. It seems to be a trend that there will be more of us. It would be nice for us to have a seat at the table. I know what the Constitution says in Maine; however, I can't support being gerrymandered. I'm not going to stand for it and I'm going to oppose this motion. Thank you.

The SPEAKER: The Chair recognizes the Representative from Sanford, Representative Boland.

Representative **BOLAND**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. I hate to be the skunk at the lawn party, but I think given the way Sanford came out with such a strange district, I also cannot support it.

Representative JONES of Freedom **REQUESTED** a roll call on the motion to **ADOPT House Amendment "A" (H-337)**.

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 the Houlton Band of Maliseet Indians, Representative Bear.

Representative **BEAR**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. The Maliseet people will look forward one day to being able to participate in this debate on districting, but for now we wish you well on this plan that you are about to vote on. I think that the issue, the vote, is out there for us to deal with and going with that would be an issue of districting. Had I had a say and I'd been successful in persuading you on our plan, it probably would have looked something like the northern areas having accommodated the Maliseet population with its own district. But again, I'll look forward to that day when it happens. Thank you.

The SPEAKER: The Chair recognizes the Representative from Skowhegan, Representative McCabe.

Representative **McCABE**: Thank you, Mr. Speaker. Mr. Speaker, Men and Women of the House. I just want to be clear. What we're about to vote on is actually an amendment that actually corrects some errors in its really housekeeping issues. We want to make sure that towns that are in the southern part of the state are reflected as being in the southern part of the state and not reflected in Aroostook County. We want to make sure that there is the proper names for the unorganized territories and move forward, and this is what this amendment does. Thank you.

The SPEAKER: A roll call has been ordered. The pending question before the House is Adoption of House Amendment "A"

(H-337). All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 196

YEA - Ayotte, Beaulieu, Beavers, Beck, Bennett, Berry, Black, Bolduc, Briggs, Brooks, Campbell J, Campbell R, Carey, Cassidy, Chapman, Chenette, Chipman, Clark, Cooper, Cotta, Crafts, Cray, Crockett, Daughtry, Davis, DeChant, Devin, Dickerson, Dill, Dion, Doak, Dorney, Dunphy, Duprey, Espling, Fitzpatrick, Fowle, Fredette, Frey, Gattine, Gideon, Gifford, Gilbert, Gillway, Goode, Graham, Grant, Guerin, Hamann, Harlow, Harvell, Hayes, Herbig, Hickman, Hobbins, Hubbell, Jackson, Johnson D, Johnson P, Jones, Jorgensen, Kaenrath, Kent, Keschl, Kinney, Knight, Kornfield, Kruger, Kumiega, Lajoie, Libby A, Libby N, Lockman, Long, Longstaff, Luchini, MacDonald S, MacDonald W, Maker, Malaby, Marean, Marks, Mason, Mastraccio, McCabe, McClellan, McElwee, McGowan, McLean, Monaghan-Derrig, Moonen, Moriarty, Morrison, Nadeau A, Nadeau C, Nelson, Newendyke, Noon, Nutting, Parry, Pease, Peavey Haskell, Peoples, Plante, Pouliot, Powers, Priest, Pringle, Rankin, Reed, Rochelo, Rotundo, Rykerson, Sanborn, Sanderson, Saucier, Saxton, Schneck, Shaw, Short, Sirocki, Stanley, Theriault, Timberlake, Tipping-Spitz, Treat, Turner, Tyler, Verow, Villa, Volk, Wallace, Weaver, Welsh, Werts, Willette, Wilson, Winchenbach, Winsor, Mr. Speaker.

NAY - Boland, Casavant, Evangelos, Kusiak, Wood.

ABSENT - Beaudoin, Chase, Farnsworth, Peterson, Russell, Stuckey.

Yes, 140; No, 5; Absent, 6; Excused, 0.

140 having voted in the affirmative and 5 voted in the negative, with 6 being absent, and accordingly **House Amendment "A" (H-337) was ADOPTED**.

Subsequently, the Bill was **PASSED TO BE ENGROSSED as Amended by House Amendment "A" (H-337)** and sent for concurrence. **ORDERED SENT FORTHWITH**.

ENACTORS

Emergency Measure

An Act To Amend the Laws Governing Gambling

(S.P. 130) (L.D. 350)

(C. "A" S-142)

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. 125 voted in favor of the same and 10 against, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

Emergency Measure

An Act To Reduce Tobacco-related Illness and Lower Health Care Costs in MaineCare

(H.P. 261) (L.D. 386)

(C. "A" H-247)

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

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: 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. 197

YEA - Ayotte, Beaulieu, Beavers, Beck, Bennett, Berry, Black, Boland, Bolduc, Briggs, Brooks, Campbell J, Campbell R, Casavant, Cassidy, Chapman, Chase, Chenette, Chipman, Clark, Cooper, Cotta, Crafts, Cray, Daughtry, Davis, DeChant, Devin, Dickerson, Dill, Dion, Doak, Dorney, Dunphy, Duprey, Espling, Evangelos, Fitzpatrick, Fowle, Fredette, Frey, Gattine, Gideon, Gifford, Gilbert, Gillway, Goode, Graham, Grant, Guerin, Hamann, Harlow, Hayes, Herbig, Hickman, Hobbins, Hubbell, Jackson, Johnson D, Johnson P, Jones, Jorgensen, Kaenrath, Kent, Keschl, Kinney, Knight, Kornfield, Kruger, Kumiega, Kusiak, Lajoie, Libby A, Libby N, Lockman, Long, Longstaff, Luchini, MacDonald S, MacDonald W, Maker, Marean, Marks, Mason, Mastraccio, McCabe, McClellan, McElwee, McGowan, McLean, Monaghan-Derrig, Moonen, Moriarty, Morrison, Nadeau A, Nadeau C, Nelson, Newendyke, Noon, Nutting, Parry, Pease, Peavey Haskell, Peoples, Plante, Pouliot, Powers, Priest, Pringle, Rankin, Reed, Rochelo, Rotundo, Rykerson, Sanborn, Sanderson, Saucier, Saxton, Schneck, Shaw, Short, Sirocki, Stanley, Theriault, Timberlake, Tipping-Spitz, Treat, Turner, Tyler, Verow, Villa, Volk, Wallace, Welsh, Werts, Wilson, Winchenbach, Winsor, Wood, Mr. Speaker.

NAY - Weaver.

ABSENT - Beaudoin, Carey, Crockett, Farnsworth, Harvell, Malaby, Peterson, Russell, Stuckey, Willette.

Yes, 140; No, 1; Absent, 10; Excused, 0.

140 having voted in the affirmative and 1 voted in the negative, with 10 being absent, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

Emergency Measure

An Act To Create Uniform Claims Paying Practices in Long-term Care Insurance Policies

(S.P. 312) (L.D. 891)

(C. "A" S-147)

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. 133 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.

Emergency Measure

An Act To Amend the Requirements for the Reporting of New Hires

(H.P. 653) (L.D. 929)

(C. "A" H-249)

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. 132 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.

Emergency Measure

An Act To Remove a Conflict in the Law Restricting the Sale or Purchase of Targeted Methamphetamine Precursors

(H.P. 756) (L.D. 1063)

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. 127 voted in favor of the same and 4 against, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

Emergency Measure

An Act To Prevent the Reduction in Adoption Subsidy after an Agreement Has Been Signed by the Prospective Adoptive Parents and the Department of Health and Human Services

(H.P. 761) (L.D. 1068)

(C. "A" H-276)

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

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: 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. 198

YEA - Ayotte, Beaulieu, Beavers, Beck, Bennett, Berry, Black, Boland, Bolduc, Briggs, Brooks, Campbell J, Campbell R, Casavant, Cassidy, Chapman, Chase, Chenette, Chipman, Clark, Cooper, Cotta, Crafts, Cray, Daughtry, Davis, DeChant, Devin, Dickerson, Dill, Doak, Dorney, Dunphy, Duprey, Espling, Evangelos, Fitzpatrick, Fowle, Fredette, Frey, Gattine, Gifford, Gilbert, Gillway, Goode, Graham, Grant, Guerin, Hamann, Harlow, Hayes, Herbig, Hickman, Hubbell, Jackson, Johnson D, Johnson P, Jones, Jorgensen, Kaenrath, Kent, Keschl, Kinney, Knight, Kornfield, Kruger, Kumiega, Kusiak, Lajoie, Libby A, Libby N, Lockman, Long, Longstaff, Luchini, MacDonald S, MacDonald W, Maker, Malaby, Marean, Marks, Mason, Mastraccio, McCabe, McClellan, McElwee, McGowan, McLean, Monaghan-Derrig, Moonen, Moriarty, Morrison, Nadeau A, Nadeau C, Nelson, Newendyke, Noon, Nutting, Parry, Pease, Peavey Haskell, Peoples, Plante, Pouliot, Powers, Priest, Pringle, Rankin, Reed, Rochelo, Rotundo, Russell, Rykerson, Sanborn, Sanderson, Saucier, Saxton, Schneck, Shaw, Short, Sirocki, Stanley, Stuckey, Theriault, Timberlake, Treat, Turner, Tyler, Verow, Villa, Volk, Wallace, Weaver, Welsh, Werts, Wilson, Winchenbach, Winsor, Wood, Mr. Speaker.

NAY - NONE.

ABSENT - Beaudoin, Carey, Crockett, Dion, Farnsworth, Gideon, Harvell, Hobbins, Peterson, Tipping-Spitz, Willette.

Yes, 140; No, 0; Absent, 11; Excused, 0.

140 having voted in the affirmative and 0 voted in the negative, with 11 being absent, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

Emergency Measure

An Act To Provide the Securities Administrator with the Power To Investigate Potential Violations Involving the Sale of Business Opportunities

(H.P. 905) (L.D. 1266)
(C. "A" H-265)

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. 132 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.

Emergency Measure

Resolve, To Continue the Redesign of Shared Living Services for Adults with Intellectual Disabilities or Autism

(H.P. 580) (L.D. 829)
(C. "A" H-269)

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

Representative BERRY of Bowdoinham **REQUESTED** a roll call on **FINAL PASSAGE**.

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 Final Passage. 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. 199

YEA - Ayotte, Beaulieu, Beavers, Bennett, Berry, Black, Boland, Bolduc, Briggs, Brooks, Campbell J, Campbell R, Casavant, Cassidy, Chapman, Chase, Chenette, Chipman, Clark, Cooper, Cotta, Crafts, Cray, Daughtry, Davis, DeChant, Devin, Dickerson, Dill, Dion, Doak, Dorney, Dunphy, Duprey, Espling, Evangelos, Fitzpatrick, Fowle, Fredette, Frey, Gattine, Gifford, Gilbert, Gillway, Goode, Graham, Grant, Guerin, Hamann, Harlow, Hayes, Herbig, Hickman, Hubbell, Jackson, Johnson D, Johnson P, Jones, Jorgensen, Kaenrath, Kent, Keschl, Kinney, Knight, Kornfield, Kruger, Kumiega, Kusiak, Lajoie, Libby A, Libby N, Lockman, Long, Longstaff, Luchini, MacDonald S, MacDonald W, Maker, Malaby, Marean, Marks, Mason, Mastraccio, McCabe, McClellan, McElwee, McGowan, McLean, Monaghan-Derrig, Moonen, Moriarty, Morrison, Nadeau A, Nadeau C, Nelson, Newendyke, Noon, Nutting, Parry, Pease, Peavey Haskell, Peoples, Plante, Pouliot, Powers, Priest, Pringle, Rankin, Reed, Rochelo, Rotundo, Russell, Rykerson, Sanderson, Saucier, Saxton, Schneck, Shaw, Short, Sirocki, Stanley, Stuckey, Theriault, Timberlake, Treat, Turner, Tyler, Verow, Villa, Volk, Wallace, Weaver, Welsh, Werts, Wilson, Winchenbach, Winsor, Wood, Mr. Speaker.

NAY - NONE.

ABSENT - Beaudoin, Beck, Carey, Crockett, Farnsworth, Gideon, Harvell, Hobbins, Peterson, Tipping-Spitz, Willette.

Yes, 140; No, 0; Absent, 11; Excused, 0.

140 having voted in the affirmative and 0 voted in the negative, with 11 being absent, and accordingly Resolve was **FINALLY PASSED**, signed by the Speaker and sent to the Senate.

Emergency Measure

Resolve, To Establish the Task Force on Independence from Public Assistance

(H.P. 757) (L.D. 1064)
(C. "A" H-270)

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

Representative BERRY of Bowdoinham **REQUESTED** a roll call on **FINAL PASSAGE**.

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 Final Passage. 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. 200

YEA - Ayotte, Beaulieu, Beavers, Bennett, Berry, Black, Boland, Bolduc, Briggs, Brooks, Campbell J, Campbell R, Carey, Casavant, Cassidy, Chapman, Chase, Chenette, Chipman, Clark, Cooper, Cotta, Crafts, Cray, Daughtry, Davis, DeChant, Dickerson, Dill, Doak, Dorney, Dunphy, Duprey, Espling, Evangelos, Fitzpatrick, Fowle, Fredette, Frey, Gattine, Gideon, Gifford, Gilbert, Gillway, Goode, Graham, Grant, Guerin, Hamann, Harlow, Hayes, Herbig, Hickman, Hobbins, Hubbell, Jackson, Johnson D, Johnson P, Jones, Jorgensen, Kaenrath, Kent, Keschl, Kinney, Knight, Kornfield, Kruger, Kumiega, Kusiak, Lajoie, Libby A, Libby N, Lockman, Long, Longstaff, Luchini, MacDonald S, MacDonald W, Maker, Malaby, Marean, Marks, Mason, Mastraccio, McCabe, McClellan, McElwee, McGowan, McLean, Monaghan-Derrig, Moonen, Moriarty, Morrison, Nadeau A, Nadeau C, Nelson, Newendyke, Noon, Nutting, Parry, Pease, Peavey Haskell, Peoples, Plante, Pouliot, Powers, Priest, Pringle, Rankin, Reed, Rochelo, Rotundo, Russell, Rykerson, Sanborn, Sanderson, Saucier, Saxton, Schneck, Shaw, Short, Sirocki, Stanley, Stuckey, Theriault, Timberlake, Tipping-Spitz, Treat, Turner, Tyler, Verow, Villa, Volk, Wallace, Weaver, Werts, Willette, Wilson, Winchenbach, Winsor, Wood, Mr. Speaker.

NAY - NONE.

ABSENT - Beaudoin, Beck, Crockett, Devin, Dion, Farnsworth, Harvell, Peterson, Welsh.

Yes, 142; No, 0; Absent, 9; Excused, 0.

142 having voted in the affirmative and 0 voted in the negative, with 9 being absent, and accordingly the Resolve was **FINALLY PASSED**, signed by the Speaker and sent to the Senate.

Emergency Measure

Resolve, Directing the Attorney General To Report on the Status of Discussions on Domestic Violence on Tribal Lands

(H.P. 996) (L.D. 1400)
(C. "A" H-275)

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

Representative BERRY of Bowdoinham **REQUESTED** a roll call on **FINAL PASSAGE**.

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 Final Passage. 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. 201

YEA - Ayotte, Beaulieu, Beavers, Beck, Bennett, Berry, Black, Boland, Bolduc, Briggs, Brooks, Campbell J, Campbell R, Carey, Casavant, Cassidy, Chapman, Chase, Chenette, Chipman, Clark, Cooper, Cotta, Crafts, Cray, Daughtry, Davis, DeChant, Devin, Dickerson, Dill, Doak, Dorney, Dunphy, Duprey, Espling, Evangelos, Fitzpatrick, Fowle, Fredette, Frey, Gattine, Gideon, Gifford, Gilbert, Gillway, Goode, Graham, Grant, Guerin, Hamann, Harlow, Hayes, Herbig, Hickman, Hobbins, Hubbell, Jackson, Johnson D, Johnson P, Jones, Jorgensen, Kaenrath, Kent, Keschl, Kinney, Knight, Kornfield, Kruger, Kumiega, Kusiak, Lajoie, Libby A, Libby N, Lockman, Long, Longstaff, Luchini, MacDonald S, MacDonald W, Maker, Malaby, Marean, Marks, Mason, Mastraccio, McCabe, McClellan, McElwee, McGowan, McLean, Monaghan-Derrig, Moonen, Moriarty, Morrison, Nadeau A, Nadeau C, Nelson, Newendyke, Noon, Nutting, Parry, Pease, Peavey Haskell, Peoples, Plante, Pouliot, Powers, Priest, Pringle, Rankin, Reed, Rochelo, Rotundo, Russell, Rykerson, Sanborn, Sanderson, Saucier, Saxton, Schneck, Shaw, Short, Sirocki, Stanley, Stuckey, Theriault, Timberlake, Tipping-Spitz, Treat, Turner, Tyler, Verow, Villa, Volk, Wallace, Weaver, Welsh, Werts, Willette, Wilson, Winchenbach, Winsor, Wood, Mr. Speaker.

NAY - NONE.

ABSENT - Beaudoin, Crockett, Dion, Farnsworth, Harvell, Peterson.

Yes, 145; No, 0; Absent, 6; Excused, 0.

145 having voted in the affirmative and 0 voted in the negative, with 6 being absent, and accordingly the Resolve was **FINALLY PASSED**, signed by the Speaker and sent to the Senate.

Emergency Mandate

An Act To Make Veterans' Property Tax Exemption Applications Confidential

(H.P. 687) (L.D. 973)
(C. "A" H-231; H. "A" H-260)

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

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**: 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.

In accordance with the provisions of Section 21 of Article IX of the Constitution, a two-thirds vote of all the members elected to the House being necessary, a total was taken.

ROLL CALL NO. 202

YEA - Ayotte, Beaulieu, Beavers, Beck, Bennett, Berry, Black, Boland, Bolduc, Briggs, Brooks, Campbell J, Campbell R, Carey, Casavant, Cassidy, Chapman, Chase, Chenette, Chipman, Clark, Cooper, Cotta, Crafts, Cray, Daughtry, Davis, DeChant, Devin, Dickerson, Dill, Dion, Doak, Dorney, Dunphy, Duprey, Espling, Evangelos, Fitzpatrick, Fowle, Fredette, Frey, Gattine, Gideon, Gifford, Gilbert, Gillway, Goode, Graham, Grant, Guerin, Hamann, Harlow, Harvell, Hayes, Herbig, Hickman, Hobbins, Hubbell, Jackson, Johnson D, Johnson P, Jones, Jorgensen, Kaenrath, Kent, Keschl, Kinney, Knight, Kornfield, Kruger, Kumiega, Kusiak, Lajoie, Libby A, Libby N, Lockman, Long, Longstaff, Luchini, MacDonald S, MacDonald W, Maker, Malaby, Marean, Marks, Mason, Mastraccio, McCabe, McClellan, McElwee, McGowan, McLean, Monaghan-Derrig, Moonen,

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

NAY - NONE.

ABSENT - Beaudoin, Crockett, Farnsworth, Peterson.

Yes, 147; No, 0; Absent, 4; Excused, 0.

147 having voted in the affirmative and 0 voted in the negative, with 4 being absent, and accordingly Mandate was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

**Pursuant to the Constitution
Public Land**

Resolve, Authorizing the Department of Agriculture, Conservation and Forestry, Division of Parks and Public Lands To Convey Certain Lands and Enter into Certain Leases with the Federal Government

(H.P. 1100) (L.D. 1527)

(C. "A" H-258)

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

Representative BERRY of Bowdoinham **REQUESTED** a roll call on **FINAL PASSAGE**.

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 Final Passage. All those in favor will vote yes, those opposed will vote no.

In accordance with the provisions of Section 23 of Article IX of the Constitution, a two-thirds vote of all the members elected to the House being necessary, a total was taken.

ROLL CALL NO. 203

YEA - Ayotte, Beaulieu, Beavers, Beck, Bennett, Berry, Black, Boland, Bolduc, Briggs, Brooks, Campbell J, Campbell R, Carey, Casavant, Cassidy, Chapman, Chase, Chenette, Chipman, Clark, Cooper, Cotta, Crafts, Cray, Daughtry, Davis, DeChant, Devin, Dickerson, Dill, Dion, Doak, Dorney, Dunphy, Duprey, Espling, Evangelos, Fitzpatrick, Fowle, Fredette, Frey, Gattine, Gideon, Gifford, Gilbert, Gillway, Goode, Graham, Grant, Guerin, Hamann, Harlow, Harvell, Hayes, Herbig, Hickman, Hobbins, Hubbell, Jackson, Johnson D, Johnson P, Jones, Jorgensen, Kaenrath, Kent, Keschl, Kinney, Knight, Kornfield, Kruger, Kumiega, Kusiak, Lajoie, Libby A, Libby N, Lockman, Long, Longstaff, Luchini, MacDonald S, MacDonald W, Maker, Malaby, Marean, Marks, Mason, Mastraccio, McCabe, McClellan, McElwee, McGowan, McLean, Monaghan-Derrig, Moonen, Moriarty, Morrison, Nadeau A, Nadeau C, Nelson, Newendyke, Noon, Nutting, Parry, Pease, Peavey Haskell, Peoples, Plante, Pouliot, Powers, Priest, Pringle, Rankin, Reed, Rochelo, Rotundo, Russell, Rykerson, Sanborn, Sanderson, Saucier, Saxton, Schneck, Shaw, Short, Sirocki, Stanley, Stuckey, Theriault, Timberlake, Treat, Turner, Tyler, Verow, Villa, Volk, Wallace, Weaver, Welsh, Werts, Willette, Wilson, Winchenbach, Winsor, Wood, Mr. Speaker.

NAY - NONE.

ABSENT - Beaudoin, Crockett, Farnsworth, Peterson, Tipping-Spitz.

Yes, 146; No, 0; Absent, 5; Excused, 0.

146 having voted in the affirmative and 0 voted in the negative, with 5 being absent, and accordingly the Resolve was **FINALLY PASSED**, signed by the Speaker and sent to the Senate.

Bond Issue

An Act To Authorize a General Fund Bond Issue To Restore Maine's Groundfishing Industry

(S.P. 316) (L.D. 939)
(C. "A" S-152)

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

On motion of Representative KUMIEGA of Deer Isle, the Bill and all accompanying papers were **COMMITTED** to the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** and sent for concurrence.

Acts

An Act To Allow a Junior Hunter To Take One Antlerless Deer without an Antlerless Deer Permit

(H.P. 83) (L.D. 101)
(C. "A" H-263)

An Act To Ensure the Authenticity of Items Reported To Have Been Crafted by Native Americans

(H.P. 100) (L.D. 118)
(C. "A" H-255)

An Act To Allow 2 Eligible Organizations To Jointly Hold a Game of Beano or Bingo

(H.P. 126) (L.D. 151)
(C. "A" H-266)

An Act To Authorize InterCoast Career Institute To Grant the Degree of Associate Degree in Applied Science

(H.P. 154) (L.D. 193)

An Act To Change Compensation for Career and Technical Education Region Cooperative Board Meeting Attendance

(H.P. 314) (L.D. 464)
(C. "A" H-279)

An Act To Amend the Laws Governing the Discharge of a Firearm or Crossbow near a Dwelling or Building

(H.P. 359) (L.D. 540)
(C. "A" H-264)

An Act To Clarify Uninsured Vehicle Coverage for Multiple Claimants

(S.P. 218) (L.D. 628)
(C. "A" S-146)

An Act To Protect Charter Schools by Requiring Them To Be Operated as Nonprofit Organizations

(H.P. 463) (L.D. 671)
(C. "A" H-245)

An Act Establishing Health Care Practitioner Transparency Requirements

(S.P. 265) (L.D. 727)
(C. "A" S-154)

An Act Relating to the Sales Tax Exemption on Depreciable Equipment Used in Commercial Wood Harvesting

(S.P. 272) (L.D. 734)
(C. "A" S-99)

An Act To Provide Guidance for the Development of Marine Fisheries Management Plans

(H.P. 562) (L.D. 811)
(C. "A" H-259)

An Act To Improve the Administration of the Child Care Subsidy Program and To Prevent Erroneous Termination of Child Care Services

(H.P. 579) (L.D. 828)
(C. "A" H-272)

An Act Regarding the Use of Mobile Poultry Processing Units

(H.P. 587) (L.D. 836)

An Act To Require an Operator To Provide Evidence of Liability Insurance or Financial Responsibility at the Scene of an Accident

(H.P. 643) (L.D. 919)
(C. "A" H-251)

An Act To Amend the Health Plan Improvement Law Regarding Prescription Drug Step Therapy and Prior Authorization

(S.P. 329) (L.D. 984)
(C. "A" S-123)

An Act To Provide Consistency in the Application of the Property Tax Exemption for Religious Organizations

(S.P. 343) (L.D. 998)
(C. "A" S-135)

An Act To Develop a Grant Program To Establish a Teacher-led School Model

(H.P. 775) (L.D. 1106)

An Act To Amend the Maine Juvenile Code and Related Statutes

(H.P. 782) (L.D. 1112)
(C. "A" H-262)

An Act To Further Ensure Effective Teaching and School Leadership

(H.P. 809) (L.D. 1144)
(C. "A" H-254)

An Act To Protect Earned Pay

(H.P. 842) (L.D. 1198)
(C. "A" H-256)

An Act Regarding Research and Development in Maine

(S.P. 437) (L.D. 1276)
(C. "A" S-157)

An Act To Create the Aging in Place Program

(S.P. 473) (L.D. 1354)
(C. "A" S-143)

An Act To Clarify Civil Liability of Persons Making False Claims to the Department of Health and Human Services

(H.P. 991) (L.D. 1388)
(C. "A" H-250)

An Act Relating to Title Insurers Issuing Closing or Settlement Protection

(H.P. 1038) (L.D. 1444)
(C. "A" H-283)

An Act Relating to Insurance Company Formation and Dissolution

(H.P. 1066) (L.D. 1485)
(C. "A" H-282)

An Act Regarding Coordinated Access to Public Records of State Agencies

(S.P. 566) (L.D. 1511)

Reported by the Committee on **Engrossed Bills** as truly and strictly engrossed, **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

An Act To Clarify the Law Concerning the Threatening Display of Dangerous Weapons

(H.P. 255) (L.D. 380)
(C. "A" H-204)

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

On motion of Representative BERRY of Bowdoinham, was **SET ASIDE**.

On further motion of the same Representative, **TABLED** pending **PASSAGE TO BE ENACTED** and later today assigned.

An Act To Inform Persons of the Options for the Treatment of Lyme Disease

(H.P. 416) (L.D. 597)
(C. "A" H-184)

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

On motion of Representative BERRY of Bowdoinham, was **SET ASIDE**.

On further motion of the same Representative, **TABLED** pending **PASSAGE TO BE ENACTED** and later today assigned.

An Act Concerning the Removal of Municipal Employees

(S.P. 394) (L.D. 1133)
(C. "A" S-141)

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

On motion of Representative BERRY of Bowdoinham, was **SET ASIDE**.

On further motion of the same Representative, **TABLED** pending **PASSAGE TO BE ENACTED** and later today assigned.

Resolve, Directing the Department of Health and Human Services To Clarify the Processes Regarding Registration of Recovery Agencies for Tissue and Organ Donation

(S.P. 44) (L.D. 123)
(C. "A" S-149)

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

On motion of Representative BERRY of Bowdoinham, was **SET ASIDE**.

The same Representative **REQUESTED** a roll call on **FINAL PASSAGE**.

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 Final Passage. All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 204

YEA - Ayotte, Beaulieu, Beavers, Beck, Bennett, Berry, Black, Boland, Bolduc, Briggs, Brooks, Campbell J, Campbell R, Casavant, Cassidy, Chapman, Chenette, Chipman, Clark, Cooper, Crafts, Cray, Daughtry, Davis, DeChant, Devin, Dickerson, Dill, Dion, Doak, Dorney, Dunphy, Duprey, Espling, Evangelos, Fitzpatrick, Fowle, Frey, Gattine, Gifford, Gilbert, Gillway, Goode, Graham, Grant, Guerin, Hamann, Harlow, Hayes, Herbig, Hickman, Hubbell, Jackson, Johnson D, Johnson P, Jones, Jorgensen, Kaenrath, Kent, Keschl, Kinney, Knight, Kornfield, Kruger, Kumiega, Kusiak, Lajoie, Libby A, Libby N, Lockman, Long, Longstaff, Luchini, MacDonald S, MacDonald W, Maker, Malaby, Marean, Marks, Mason, Mastraccio, McCabe, McClellan, McElwee, McGowan, McLean,

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

NAY - NONE.

ABSENT - Beaudoin, Carey, Chase, Cotta, Crockett, Farnsworth, Fredette, Gideon, Harvell, Hobbins, Peterson, Stuckey, Tipping-Spitz.

Yes, 138; No, 0; Absent, 13; Excused, 0.

138 having voted in the affirmative and 0 voted in the negative, with 13 being absent, and accordingly the Bill was **FINALLY PASSED**, signed by the Speaker and sent to the Senate.

Resolve, To Encourage the Use of Career Interest and Aptitude Tests in Higher Education

(H.P. 462) (L.D. 670)
(C. "A" H-244)

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

On motion of Representative BERRY of Bowdoinham, was **SET ASIDE**.

The same Representative **REQUESTED** a roll call on **FINAL PASSAGE**.

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 Final Passage. All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 205

YEA - Beavers, Beck, Berry, Boland, Bolduc, Briggs, Brooks, Campbell J, Casavant, Cassidy, Chapman, Chenette, Chipman, Cooper, Daughtry, DeChant, Devin, Dickerson, Dill, Dion, Dorney, Duprey, Evangelos, Fowle, Fredette, Frey, Gattine, Gideon, Gilbert, Gillway, Goode, Graham, Grant, Hamann, Harlow, Hayes, Herbig, Hickman, Hubbell, Jones, Jorgensen, Kaenrath, Kent, Keschl, Kornfield, Kruger, Kumiega, Kusiak, Lajoie, Libby N, Longstaff, Luchini, MacDonald W, Marean, Marks, Mason, Mastraccio, McCabe, McGowan, McLean, Monaghan-Derrig, Moonen, Moriarty, Morrison, Nadeau C, Nelson, Noon, Nutting, Parry, Peoples, Plante, Pouliot, Powers, Priest, Pringle, Rankin, Rochelo, Rotundo, Russell, Rykerson, Sanborn, Sanderson, Saucier, Saxton, Schneck, Shaw, Short, Stanley, Theriault, Timberlake, Tipping-Spitz, Treat, Tyler, Verow, Villa, Welsh, Werts, Wilson, Winchenbach, Wood, Mr. Speaker.

NAY - Ayotte, Beaulieu, Bennett, Black, Campbell R, Clark, Crafts, Cray, Crockett, Davis, Doak, Dunphy, Espling, Fitzpatrick, Gifford, Guerin, Harvell, Jackson, Johnson D, Johnson P, Kinney, Knight, Libby A, Lockman, Long, MacDonald S, Maker, Malaby, McClellan, McElwee, Nadeau A, Newendyke, Pease, Peavey Haskell, Reed, Sirocki, Turner, Volk, Wallace, Weaver, Willette, Winsor.

ABSENT - Beaudoin, Carey, Chase, Cotta, Farnsworth, Hobbins, Peterson, Stuckey.

Yes, 101; No, 42; Absent, 8; Excused, 0.

101 having voted in the affirmative and 42 voted in the negative, with 8 being absent, and accordingly the Bill was **FINALLY PASSED**, signed by the Speaker and sent to the Senate.

UNFINISHED BUSINESS

Resolve, To Require the Department of Health and Human Services To Study the Effectiveness of Professional Development Services Provided to Child Care Providers and Referral Services Provided to Parents in Need of Child Care

(H.P. 503) (L.D. 752)
(C. "A" H-271)

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

On motion of Representative BERRY of Bowdoinham, was **SET ASIDE**.

On further motion of the same Representative, **TABLED** pending **FINAL PASSAGE** and later today assigned.

Resolve, To Establish the Task Force on Milk Tier Pricing

(H.P. 540) (L.D. 789)
(C. "A" H-281)

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

On motion of Representative BERRY of Bowdoinham, was **SET ASIDE**.

On further motion of the same Representative, **TABLED** pending **FINAL PASSAGE** and later today assigned.

Resolve, Requiring the Department of Health and Human Services To Amend the Rules Regarding Child Care Facilities and Family Child Care Providers

(H.P. 554) (L.D. 803)
(C. "A" H-268)

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

On motion of Representative BERRY of Bowdoinham, was **SET ASIDE**.

On further motion of the same Representative, **TABLED** pending **FINAL PASSAGE** and later today assigned.

Resolve, To Establish MaineCare Eligibility for Parents Participating in Reunification Activities

(H.P. 633) (L.D. 909)
(C. "A" H-248)

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

On motion of Representative BERRY of Bowdoinham, was **SET ASIDE**.

On further motion of the same Representative, **TABLED** pending **FINAL PASSAGE** and later today assigned.

Resolve, To Direct the Department of Economic and Community Development To Adopt Certain Eligibility Requirements Regarding Community Development Block Grants

(S.P. 560) (L.D. 1499)

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

On motion of Representative BERRY of Bowdoinham, was **SET ASIDE**.

On further motion of the same Representative, **TABLED** pending **FINAL PASSAGE** and later today assigned.

The following items were taken up out of order by unanimous consent:

The following matter, in the consideration of which the House was engaged at the time of adjournment yesterday, had preference in the Orders of the Day and continued with such preference until disposed of as provided by House Rule 502.

HOUSE DIVIDED REPORT - Majority (8) **Ought to Pass as Amended by Committee Amendment "A" (H-304)** - Minority (4) **Ought to Pass as Amended by Committee Amendment "B" (H-305)** - Committee on **ENVIRONMENT AND NATURAL RESOURCES** on Bill "An Act To Amend the Maine Metallic Mineral Mining Act To Protect Water Quality"

(H.P. 929) (L.D. 1302)

TABLED - June 4, 2013 (Till Later Today) by Representative WELSH of Rockport.

PENDING - Motion of same Representative to **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report.

The **SPEAKER**: The Chair recognizes the Representative from Rockport, Representative Welsh.

Representative **WELSH**: Thank you, Mr. Speaker. Mr. Speaker, Men and Women of the House. Many of you who were here remember that last year in the 125th Legislature, we passed a sweeping mining bill and many of us, at that time, were a little uncomfortable with it, especially in terms of the protections of our water and for the taxpayers of the state. This bill, 1302, fixes much of those concerns that we had last year. Primarily, this bill protects the water quality for mining in our state, it protects our taxpayers from having to pay huge cleanup, have huge cleanup costs, and it also protects our jobs, assuring that the jobs are going to Maine people. You may hear that this bill kills mining in Maine and it in fact won't allow mining to happen in Maine, but in fact the provisions in this bill are similar to those that are in place in Michigan under rules that are allowing mines to operate there. Michigan also has similar environmental conditions to ours here in Maine. I ask for your support for this bill. It is good for Maine, and it is good for our people and keeping our water clean. Thank you.

Representative **FREDETTE** of Newport **REQUESTED** a roll call on the motion to **ACCEPT** the Majority **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**: The Chair recognizes the Representative from Brooksville, Representative Chapman.

Representative **CHAPMAN**: Thank you, Mr. Speaker. Mr. Speaker, Friends and Colleagues of the House. I represent the only district in Maine that has had any metal mines in the last 95 years. I will be brief, but I want to describe a little bit of the history and make a quick point about the jobs created by the mines in my district and the economic conditions there at the time. I am going to start the history. Five hundred million years ago, that's a couple of hundred million years before the dinosaurs, before the Appalachian Mountains were formed, is when underwater volcanoes put these deposits where they are. The reason I mention the longtime history is because the material that has been mined in my district and the material that is proposed to be mined elsewhere in this state is material that is where it is only because it has not seen water for hundreds of millions of years. When water reacts with this material, it creates an acid that dissolves the material, and that's an important characteristic to the way this type of mine works when you expose the material to the environment. There are two mines in my district. One is an underground mine, one is an open pit mine. The underground mine, well, I'll start with the open pit mine, that started in 1968 and closed in 1972. The underground mine started in 1972 and closed in 1976. Each mine ran for

about four years. The underground mine experienced some expenses about five years ago when a \$10 million geo-synthetic cover was placed over the waste rock pile from the underground mine. The open pit mine is currently being worked on as an EPA superfund site with an estimated cost of \$23 million, but that estimated cost was prior to the discovery last summer of some additional contamination. The state pays for 10 percent of those costs and in the supplemental transportation budget that we passed a couple of months ago, there was about a \$900,000 line item for that particular installment payment on the expected \$2.3 million plus that the Maine taxpayers are paying for the cleanup in the open pit mine in my hometown. What I want to get to is I want to get to the matter of the jobs that were created in my district. The population in my district peaked in 1880 and then steadily declined for the next 80 years. It hit a low point in 1960. In 1963 or 64, then Governor of the state flew into my district on helicopter to announce the opening of the mine with a fanfare that was welcomed by the community. The community was desperately poor and was very happy to see the expected two to three hundred jobs...

The SPEAKER: Will the Representative defer? The House will in order. The Representative may proceed.

Representative **CHAPMAN**: Thank you, Mr. Speaker. The expected jobs in the underground mine in my district in the 1960s was expected to be two to three jobs for 10 to 20 years. The actual number of jobs peaked at 100 and it closed in less than five years. So somewhere between one quarter and one tenth of the estimated jobs were actually created. The other point I want to make about the jobs is that the population in Aroostook County peaked in 1940 and has been going down steadily for the last 70 years. The population decrease, if that's a measure of the economics of the area, the population decrease in Aroostook County, the population today is about half of what it was in 1940, just as the population in my district in 1960 was half of what it was in 1880. My district was a poor area in 1960 when the mining started. The other final comment I want to make is that there is an eerie silence in my district about the mines. I've lived in the district for more than 20 years and have heard very few conversations about the mines, and upon inquiry, I've run into people that I've known for dozens of years that tell me that they worked in the mine, and I asked them about it and they point out that, well, those were the only jobs available. Of course, they were only very temporary. And my final point is that when I testified on this matter before the committee on the original bill, I testified neither for nor against. I know the committee has worked on this. I think there is a general difficulty in trying to apply some legislative solutions to the overall problems of how to work with the potential mining industry in the state. And so, in conclusion, I would say that this matter is going to come before us, probably again and again, and that's the reason I took this time to explain a little of the history. Thank you.

The SPEAKER: The Chair recognizes the Representative from Skowhegan, Representative McCabe.

Representative **McCABE**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. I rise today in support of the pending motion. When I introduced this bill back in April, it was clear. I was joined by six Republicans, cosponsors from this chamber, all of which who had concerns about the bill last year. Since then, the bill has become more moderate and even more worthy of bipartisan support. A number of the provisions in the original bill were removed or modified through the committee's work and I support those changes. I speak before you today to say that this is not just about one location in Aroostook County, Bald Mountain, which we've heard so much about. This is about many locations in around many counties in

the State of Maine. Our mining laws and our mining rules will be implemented statewide. Significant mineral deposits have been found in Aroostook County, Penobscot County, Washington County, Piscataquis County, Somerset County, Franklin County, Oxford County, Hancock County as well. These deposits, there are other deposits that may not have been yet discovered and as technology improves, we may find that there is locations in other parts of the state. I think it's important that we recognize that this is really about water quality. It's really about protecting the future and recognizing that we want to make sure that what we decided today does not affect water quality for generations to come. There might not be mining going on right here in the State of Maine, but we really need to think about the cleanup costs in the future. We need to demonstrate that mining meets the highest standards possible in the industry and that's what this bill does. Is this really going to end mining? Well, mining hasn't started in Maine, and we think with these standards mining can occur, but it will actually occur at the highest quality standard possible like it's done in other states. I've heard a lot about job creation. A lot of these deposits are found in rural areas where jobs are needed the most and I recognize the area in Somerset County where there is mineral deposits, jobs are needed there as well. I will say that one of the things that we did through discussing and amending this bill was actually put in a clause that addresses the issue around job creation. Let me be really clear. Mining occurs around the world and people typically travel to mining sites. These are not local jobs. These are skilled jobs that are provided to folks with training, with past experience in mining, and that's a great concern. This bill, if you actually read the amended form, has a clause in there asking for the person looking to apply to open a mine, to estimate the job creation, the types of direct and indirect jobs, and those things are really important. We need to really recognize that these people coming to do these jobs will have a positive benefit being here and that it will create the most amount of jobs possible in the areas of our state that need it the most. Furthermore, I'd like us to think for a minute. What are we talking about mining? We're talking about mining deposits that just in the makeup, the chemical makeup of these things, will create serious water hazards and water pollution and kill fish and really affect adjacent rivers and streams for generations to come. The State of Maine cannot be left holding the bill. We heard recently from the good Representative an issue about the Callahan Mine and the expected cost, and we don't want that to happen again. If mining is going to happen in Maine, I say let it happen, like I said before, with the highest standard possible and let us follow the best we can for future generations in Maine. Thank you, Mr. Speaker.

The SPEAKER: The Chair recognizes the Representative from Gardiner, Representative Grant.

Representative **GRANT**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. I rise in strong support of the Majority Report for LD 1302 because it will provide necessary improvements to the mineral mining law adopted last year. The Majority Report will help create a framework for responsible mining to move forward in Maine without damaging Maine's environment and without sticking Maine taxpayers with future cleanup costs. I was not a member of this Legislature last year, but I read everything I could get my hands on this year about the mining issue so that I could contribute to the work of the committee as we considered this bill. I am proud of the Majority Report because it will help promote adoption here in Maine of the latest and best practices of the mining industry. We've just heard from the good Representative from Brooksville, Representative Chapman, about what happens when mining is not done well. Nobody knows whether the Irving Corporation will

pursue a mine at Bald Mountain. They are studying the mineral deposit there still. We don't know whether a different company will pursue a mine near Greenville, or near Corbett Gore or Downeast near Cobscook Bay, or near Fort Kent. A map of Maine's mineral deposits shows that there are possible mine sites all over the state and there may be ore deposits that haven't yet been discovered. So we don't know whether or when there might be a serious mining operation in Maine. We do know that any company that proposes to pursue a mine in Maine must adopt the best practices to ensure protection of Maine's environment and to ensure Maine taxpayers are not on the hook for cleanup costs. That's what the Majority Report does.

Unlike the law passed last year, the Majority Report requires any applicant for a mine to identify model mine operations across the country and explain how they will adopt those best practices in their proposed mining operation. Some who oppose the Majority Report are falsely claiming that the bill would ban mining in Maine. That is nonsense and we know it's nonsense because we have examples from other states where mines are operating with permit requirements that are even stricter than those proposed with this report. One such example is the Kennecott Eagle Mine in Michigan that will begin operations this year. I have, in my hands, the 2004 Michigan mining rules, that many who want to see mining operations come to Maine have claimed are a good model for our state. I also have a copy of the 2006 permit application for the Kennecott Eagle Mine that I just mentioned and that approved permit for that mine, and I have extras if you'd like to read it. I have pictures of the mine and a company fax sheet claiming that the project will create 500 construction jobs and 220 ongoing jobs during operations. Kennecott predicts that this \$469 million project will operate for eight years, and when it's closed, completing the wastewater treatment within five years. Let me repeat: Within five years. That is what the Kennecott proposed in their application to meet the requirements of Michigan's mining rules. That is what was approved as a permit condition and that is what the company is touting as part of what they are calling a world-class mine. They will complete water treatment within five years which is less than the 10-year requirement in the Majority Report before you. If mining happens here in Maine, we want it to be world-class, we want it to be done right. Last year's vote in this body was 78-65, a very narrow vote, which suggests to me that there were serious doubts in the last session about the bill. The Majority Report addresses those serious issues that were not addressed last session, and this is our chance to influence the rules that are now being made by the DEP and the law on which those rules are based will inform those rules, and if the law is not solid and does not protect and require the best practices in Maine, those rules will not be sufficient. So I suggest to you to support the Majority Report and I appreciate your attention to this matter. Thank you, Mr. Speaker.

The SPEAKER: The Chair recognizes the Representative from Fort Kent, Representative Nadeau.

Representative **NADEAU**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. I stand in opposition to this motion for a few reasons and I will be brief. First, we don't have the rules. The rules are just being put forward. So we're putting forth legislation now that is going to stifle the ability to go on. Why are we going to make a set of rules if we are going to put this on, pass this bill now? It's almost useless. Secondly, it talked about the declining population in rural areas. Well, I'm going to say, the rules that were put on logging are what stifled logging in our area and the rules were put on by this House, so logging went down, so our population went down. The same thing happened with our fishing. The same

thing happened with our hunting. The same thing happened with our farming. Everything in rural Maine that has been affected by the rules put in by this House and the rules that they are trying to put on again today. So I beg to consider that we let time, let this process go forward. We haven't seen the final rules yet, so why are we going to try to put a burden on the mining for the whole state at this point here? I feel it's a new addition. Thank you.

The SPEAKER: The Chair recognizes the Representative from Skowhegan, Representative McCabe.

Representative **McCABE**: Thank you, Mr. Speaker. Mr. Speaker, Men and Women of the House. I just want to be clear about something in regards to the rules. Now seems like an appropriate time to address what these rules will be. Waiting until the rules coming out and then opposing the rules will only lead to further delays in any possible development of mine or planning. For us to set these standards forward, set standards in regards to water quality and address some of these things that were forgot last session, including requiring third-party verification for cleanup costs, design and avoid wastewater cleanup extending decades into the future, prohibiting the use of waste rock in the road construction, coming up with a secure instrument for cleanup funds, and include requirements to the mining applicant to validate best practices from other mines around the country. And when it comes to the job creation component, up until now, no discussion has been given or thought of and it's in this amendment that's before us, which is the estimation, the number of type of direct or indirect jobs expected by creating the mining operation, estimates and expected duration of these jobs, and the number of jobs by these types that will likely be filled by the state's workforce. We hear time and time again in rural parts of Maine where folks are coming from other countries to do our jobs and it's now time to set the record straight that we want Maine people to fill these jobs. Thank you.

The SPEAKER: The Chair recognizes the Representative from Caswell, Representative Ayotte.

Representative **AYOTTE**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. It is true that there have been some cases of mining in Maine where it has not been a good experience or an agreeable outcome. In many cases, as Representative Chapman mentioned, it has been downright contentious. I do want to remind you that this was before the establishment of the DEP. I believe – by the way, many of these cases that did go bad were discussed at great length in our committee, and I believe, because of this, we have learned some very hard but important lessons. I do not believe that a bill has ever come out of our committee that has received such an extensive hearing. Both our Senate Chair and our House Chair went out of their way to accommodate all people who wanted to speak on this mining bill. Not one was refused. We listened to them extensively. What, however, is different? In this particular case, what is different is that we now have a very professional, competent published safeguard called the Maine Department of Environmental Protection. When I first came to the State Legislature a number of years ago, I also was very skeptical and concerned with the DEP's ability. I have gotten to know, over the years, the DEP and their staff and can state with much assurance that I believe the DEP is capable, willing and fully capable and able to safeguard, monitor and inspect every aspect of a mining operation in Maine. I have no doubt about this. It is important for us to have faith and confidence in our DEP, in our science and in the people we entrust to carry out these rules and regulations in monitoring, inspecting and keeping watch over every aspect of mining. Although the mining bill, LD 1853, applies to all the mining in Maine, this particular bill, 1302, would create a virtual ban on all mining in Maine. I want to

address also that Aroostook County has lost more than 30,000 people over the last 30 years, 10,000 per decade. As one person from southern Maine testified in our committee on LD 1302 – I did save the written testimony, by the way – he supported the bill because he wanted to keep Aroostook County as is, because he went to Aroostook County for spiritual renewal. That's a direct quote. He wanted to keep Aroostook County as is because he went to Aroostook County for a spiritual renewal. Ladies and gentlemen, the people of Aroostook County cannot live on spiritual renewal. We may live on our good looks. We actually need food on the table. When you cast your vote, please consider jobs, a tax expansion and Aroostook County having the same job opportunities as the people who testified against this bill do have in southern Maine. Thank you, Mr. Speaker.

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

Representative **CAMPBELL**: Thank you, Mr. Speaker. Mr. Speaker, Men and Women of the House. As we all listen to the testimony, we tend to learn things, and if we listen longer, we learn a lot more. The portion of this bill that concerned me is the fact that it was a major bill worked tirelessly in the previous Legislature and so significant that it had major substantive rules attached to it. The major substantive rules, as Representative Nadeau said, have not come back to us yet. So my question of the DEP was "Are you able to address all of these issues in the rulemaking process which will come back before us?" and their answer was "Yes." Major substantive rules are there for a reason. They are there to make sure the intent of the law is not exceeded but also complied by, so it's very important that they come back to us. This was an issue that really bothered me in 1992 when I was first elected. The major substantive rule was the effect of my first legislation, so let's let the rulemaking work and let's let the DEP address the concerns that were expressed in this bill, and therefore I find it not necessary. So I would recommend you oppose the motion. Thank you.

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

Representative **HARLOW**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. I rise having supported the Majority Ought to Pass as Amended bill. I did so reluctantly because I am not crazy with the idea of mining in Maine, and, yes, as the Representative from Caswell would point out, I am from southern Maine. However, there is also mining proposed in the Western or there is possible mining in the Western Mountains of Maine and my family has very deep roots in the Western Mountains. As a matter of fact, we have a family camp in the Western Mountains and when I think of that area, I can't even imagine mining there, and I did live there. I lived there without water. I lived there through very cold winters in Rangeley, actually Oquossoc. This bill came to us last year and it's important to know a little bit of the history before, and it will only be a little bit, but before we vote on this bill. It came to us in March of the final session from the former Representative from Eagle Lake. It came to us because Irving had approached him and a person from the other body about changing the rules that they thought were too strict, so our original proposal was very, very weak. We worked it very, very hard, many, many days; however, we did not have experts in the room on either side of mining and I think that anybody who was in the room had to admit that we really didn't know very much about mining. So the bill was passed and I actually did not support it last year and it was sent out to a rulemaking process. One of the reasons that I did not support it last year is that we are spending \$500,000 to contract out for the rules. The bill, last year, was very detailed and we have, I guess, improved on those. So when people say

that we should let the rules work, I do understand that sentiment and I might even be willing to go along with that; however, we made the bill so detailed last session that it almost forces us to correct any mistakes we might have made in that bill. So while the rules are being written, it doesn't make sense if we know that the rules are coming back to us to not try and correct something that we think may have been an error last session. This session, we did hear from a lot of experts and we did hear varying opinions about jobs, but one thing that we definitely heard across the board was that these jobs are very temporary. So we are looking at this as a statewide bill that will bring jobs to a region, temporary jobs, that are skilled jobs, and I'm just wondering how many people in Maine have experience in mining, since we haven't had mining very recently in Maine. The idea of responsible mining and cleanup costs and trying to estimate what the cleanup costs from a mine would be are really things that made it really hard for me to vote in favor of these changes. It's very difficult to estimate the cleanup costs. And as far as responsible mining, accidents happen all the time with mining. So I don't think that any company is looking for an accident. I think that's why it's called an accident. So I did support this bill this year in committee, I did so reluctantly, and I must admit that when I'm listening to both sides of the arguments, I'm not any happier about my vote in committee. Thank you, Mr. Speaker.

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

ROLL CALL NO. 206

YEA - Beavers, Beck, Bennett, Berry, Boland, Bolduc, Brooks, Campbell J, Carey, Casavant, Cassidy, Chapman, Chenette, Chipman, Cooper, Cotta, Crockett, Daughtry, Davis, DeChant, Devin, Dickerson, Dill, Dion, Dorney, Espling, Evangelos, Fowle, Frey, Gattine, Gideon, Gilbert, Goode, Graham, Grant, Harlow, Harvell, Hayes, Herbig, Hickman, Hobbins, Hubbell, Jorgensen, Kent, Kornfield, Kruger, Kumiega, Kusiak, Lajoie, Libby N, Longstaff, Luchini, MacDonald W, Malaby, Marks, Mason, Mastraccio, McCabe, McGowan, McLean, Monaghan-Derrig, Moonen, Moriarty, Morrison, Nadeau C, Nelson, Noon, Parry, Peoples, Plante, Powers, Priest, Pringle, Rankin, Rochelo, Rotundo, Russell, Rykerson, Sanborn, Sanderson, Saxton, Schneck, Shaw, Short, Tipping-Spitz, Treat, Villa, Welsh, Werts, Wilson, Mr. Speaker.

NAY - Ayotte, Beaulieu, Black, Campbell R, Chase, Clark, Crafts, Cray, Doak, Dunphy, Duprey, Fitzpatrick, Fredette, Gifford, Gillway, Guerin, Jackson, Johnson D, Johnson P, Keschl, Kinney, Knight, Libby A, Long, MacDonald S, Maker, Marean, McClellan, McElwee, Nadeau A, Newendyke, Pease, Peavey Haskell, Pouliot, Reed, Saucier, Sirocki, Stanley, Theriault, Timberlake, Turner, Tyler, Verow, Volk, Wallace, Weaver, Willette, Winchenbach, Wood.

ABSENT - Beaudoin, Briggs, Farnsworth, Hamann, Jones, Kaenrath, Lockman, Nutting, Peterson, Stuckey, Winsor.

Yes, 91; No, 49; Absent, 11; Excused, 0.

91 having voted in the affirmative and 49 voted in the negative, with 11 being absent, and accordingly the Majority **Ought to Pass as Amended Report was ACCEPTED.**

The Bill was **READ ONCE. Committee Amendment "A" (H-304) was READ** by the Clerk and **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" (H-304)** and sent for concurrence.

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

ENACTORS
Apportionment Plan

An Act To Reapportion the Districts of the State Senate, State House of Representatives and County Commissioners
(H.P. 1126) (L.D. 1557)
(H. "A" H-337)

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

Representative BOLAND of Sanford **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 Friendship, Representative Evangelos.

Representative **EVANGELOS**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. Just a quick question and I'd like to speak on it. This does require a two-thirds vote.

The SPEAKER: The Chair would answer in the affirmative.

Representative **EVANGELOS**: I spoke a little bit earlier about this. I think the process has been totally unfair to Independent and Unenrolled Representatives and Senators. We have no representation, no voice in the committee. My district has been totally gerrymandered. It's an old historical term for trying to put people who have an independent voice and who don't answer to the party line, to get them removed from office, and it's not fair to me and it's not fair to a few other people in the House, including my good friend, Representative Winchenbach. We've been friends for 35 years and they've gerrymandered us into a contest in 2014, not a comfortable position to be in. I hope we don't vote by this for two-thirds and I hope in the future that more people consider becoming Independent or Unenrolled. We'd probably get more work done around here. I'm very disappointed in the results that came out of the redistricting. That's all I have to say. Thank you.

The SPEAKER: 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.

In accordance with the provisions of the Constitution of Maine Article IV, Part First, Section 3; Article IV, Part Second, Section 2; and the Maine Revised Statutes, Title 30-A, Section 65, a two-thirds vote of the members present and voting of the House being necessary, a total was taken.

ROLL CALL NO. 207

YEA - Ayotte, Beaulieu, Beck, Bennett, Berry, Black, Bolduc, Brooks, Campbell J, Campbell R, Carey, Cassidy, Chase, Chenette, Chipman, Clark, Cooper, Cotta, Crafts, Cray, Crockett, Daughtry, Davis, DeChant, Devin, Dickerson, Dill, Dion, Doak, Dorney, Dunphy, Duprey, Espling, Fitzpatrick, Fowle, Fredette, Frey, Gattine, Gideon, Gifford, Gilbert, Gillway, Goode, Graham, Grant, Guerin, Hamann, Harvell, Hayes, Herbig, Hickman, Hobbins, Hubbell, Jackson, Johnson D, Johnson P, Jorgensen, Kent, Keschl, Kinney, Knight, Kornfield, Kruger, Kumiega, Lajoie, Libby A, Libby N, Lockman, Long, Longstaff, Luchini, MacDonald S, MacDonald W, Maker, Malaby, Marean, Marks, Mason, Mastraccio, McCabe, McClellan, McElwee, McGowan, McLean, Monaghan-Derrig, Moonen, Moriarty, Morrison, Nadeau A, Nadeau C, Nelson, Newendyke, Noon, Parry, Pease, Peoples, Plante, Pouliot, Powers, Priest, Pringle, Rankin, Reed,

Rochelo, Rotundo, Russell, Rykerson, Sanborn, Sanderson, Saucier, Saxton, Schneck, Shaw, Short, Sirocki, Stanley, Theriault, Timberlake, Tipping-Spitz, Treat, Turner, Tyler, Verow, Villa, Volk, Wallace, Weaver, Welsh, Werts, Willette, Wilson, Winchenbach, Mr. Speaker.

NAY - Beavers, Boland, Casavant, Chapman, Evangelos, Harlow, Jones, Kusiak, Peavey Haskell, Stuckey, Wood.

ABSENT - Beaudoin, Briggs, Farnsworth, Kaenrath, Nutting, Peterson, Winsor.

Yes, 133; No, 11; Absent, 7; Excused, 0.

133 having voted in the affirmative and 11 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.

REPORTS OF COMMITTEE

Ought to Pass Pursuant to Joint Order

Representative HOBBS for the **Joint Standing Committee on Energy, Utilities and Technology** on Bill "An Act To Reduce Energy Costs, Increase Energy Efficiency, Promote Electric System Reliability and Protect the Environment"

(H.P. 1128) (L.D. 1559)

Reporting **Ought to Pass** pursuant to Joint Order H.P. 1125

Report was **READ** and **ACCEPTED**. The Bill was **READ ONCE**.

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

Representative FREDETTE of Newport **PRESENTED House Amendment "A" (H-350)**, which was **READ** by the Clerk and **ADOPTED**.

Under further suspension of the rules the Bill was **PASSED TO BE ENGROSSED as Amended by House Amendment "A" (H-350)** and sent for concurrence. **ORDERED SENT FORTHWITH**.

UNFINISHED BUSINESS

The following matters, in the consideration of which the House was engaged at the time of adjournment yesterday, had preference in the Orders of the Day and continued with such preference until disposed of as provided by House Rule 502.

HOUSE DIVIDED REPORT - Majority (10) **Ought Not to Pass** - Minority (3) **Ought to Pass as Amended by Committee Amendment "A" (H-303)** - Committee on **ENVIRONMENT AND NATURAL RESOURCES** on Bill "An Act To Protect Local Communities When a Mining Project Is Terminated"

(H.P. 948) (L.D. 1324)

TABLED - June 4, 2013 (Till Later Today) by Representative WELSH of Rockport.

PENDING - Motion of same Representative to **ACCEPT** the Majority **OUGHT NOT TO PASS** Report.

Representative FREDETTE of Newport **REQUESTED** a roll call on the motion to **ACCEPT** the Majority **Ought Not to Pass** Report.

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 Rockport, Representative Welsh.

Representative **WELSH**: Thank you, Mr. Speaker. Mr. Speaker, Men and Women of the House. I would just like to be clear that our committee heard this bill before we heard the 1302 bill that we just previously passed, and that that bill fixes the issue that was brought up in the bill before us now. I urge your

support of Ought Not to Pass. Thank you.

The SPEAKER: A roll call has been ordered. The pending question before the House is Acceptance of the Majority Ought Not to Pass Report. All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 208

YEA - Ayotte, Beaulieu, Beavers, Beck, Bennett, Berry, Black, Bolduc, Campbell J, Campbell R, Carey, Casavant, Cassidy, Chase, Chenette, Clark, Cooper, Cotta, Crafts, Cray, Crockett, Daughtry, Davis, DeChant, Devin, Dickerson, Dill, Dion, Doak, Dorney, Duprey, Espling, Fitzpatrick, Fowle, Fredette, Frey, Gattine, Gideon, Gifford, Gilbert, Gillway, Graham, Grant, Guerin, Harvell, Herbig, Hickman, Hobbins, Hubbell, Jackson, Johnson D, Johnson P, Jorgensen, Kent, Keschl, Kinney, Knight, Kornfield, Kumiega, Kusiak, Lajoie, Libby A, Libby N, Lockman, Long, Longstaff, Luchini, MacDonald S, MacDonald W, Maker, Malaby, Marean, Marks, Mason, Mastraccio, McCabe, McClellan, McElwee, McLean, Monaghan-Derrig, Moriarty, Morrison, Nadeau A, Nadeau C, Nelson, Newendyke, Noon, Parry, Pease, Peavey Haskell, Peoples, Plante, Pouliot, Powers, Priest, Pringle, Rankin, Reed, Rochelo, Rotundo, Sanborn, Sanderson, Saucier, Saxton, Schneck, Shaw, Short, Sirocki, Stanley, Theriault, Timberlake, Tipping-Spitz, Treat, Turner, Tyler, Verow, Villa, Volk, Wallace, Weaver, Welsh, Willette, Wilson, Winchenbach, Winsor, Wood, Mr. Speaker.

NAY - Boland, Brooks, Chapman, Chipman, Dunphy, Evangelos, Hamann, Harlow, Hayes, Jones, Kruger, McGowan, Moonen, Russell, Rykerson, Stuckey.

ABSENT - Beaudoin, Briggs, Farnsworth, Goode, Kaenrath, Nutting, Peterson.

Yes, 128; No, 16; Absent, 7; Excused, 0.

128 having voted in the affirmative and 16 voted in the negative, with 7 being absent, and accordingly the Majority **Ought Not to Pass** Report was **ACCEPTED** and sent for concurrence.

Bill "An Act To Allow Media Motor Vehicles To Be Equipped with Amber Auxiliary Lights"

(S.P. 123) (L.D. 327)

- In House, Majority (10) **OUGHT NOT TO PASS** Report of the Committee on **TRANSPORTATION READ** and **ACCEPTED** on May 29, 2013.

- In Senate, Senate **INSISTED** on its former action whereby the Minority (3) **OUGHT TO PASS** Report of the Committee on **TRANSPORTATION** was **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED** and **ASKED** for a Committee of Conference in **NON-CONCURRENCE**.

TABLED - June 3, 2013 (Till Later Today) by Representative BERRY of Bowdoinham.

PENDING - **FURTHER CONSIDERATION**.

Subsequently, the House voted to **INSIST**.

Bill "An Act To Establish the Mobile Crime Laboratory Fund"

(S.P. 238) (L.D. 647)

- In House, Majority (9) **OUGHT NOT TO PASS** Report of the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY READ** and **ACCEPTED** on May 30, 2013.

- In Senate, Senate **INSISTED** on its former action whereby the Minority (4) **OUGHT TO PASS AS AMENDED** Report of the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** was **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT**

"A" (S-112) and **ASKED** for a Committee of Conference in **NON-CONCURRENCE**.

TABLED - June 3, 2013 (Till Later Today) by Representative BERRY of Bowdoinham.

PENDING - **FURTHER CONSIDERATION**.

Subsequently, on motion of Representative DION of Portland, the House voted to **INSIST**.

An Act To Require Public Schools To Offer Instruction Related to Cardiopulmonary Resuscitation and the Use of an Automated External Defibrillator

(H.P. 974) (L.D. 1366)

(C. "A" H-164)

TABLED - June 3, 2013 (Till Later Today) by Representative BERRY of Bowdoinham.

PENDING - **RECONSIDERATION** (Returned by the Governor without his approval).

The SPEAKER: The Chair recognizes the Representative from Boothbay, Representative MacDonald.

Representative **MacDONALD**: Thank you, Mr. Speaker. Mr. Speaker, Men and Women of the House. I rise just to remind our members what this bill is about and what happened to it in committee. The bill offers an opportunity for all of our high school students in the state to have an opportunity to become acquainted with CPR and acquainted with the use of defibrillators. The bill, as it originally came to us, would have been a mandate but the committee worked long and hard to remove the requirements in the bill that would have made it a mandate. The bill originally required that all students learn CPR before they graduated. We removed that. The bill would have also required that students become proficient in the use of defibrillators. We removed that and instead we said that schools would, within their existing capacity, allow high school students to become familiar with CPR and with defibrillators without the requirement of proficiency or the requirement that this be done before graduation. The bill also includes a statement that the Department will create rules, such that there will be no additional cost to the districts based upon those rules. That is part of the bill, if you take a look at it. So, Mr. Speaker, this bill was worked hard by our committee. We removed the mandates. As I recall, the bill passed in this House under the hammer. It also had a unanimous vote out of our committee. I ask that this body essentially uphold the unanimous actions not only of the committee, but also of our House, our members, whereby we voted Ought to Pass in our committee and voted unanimously under the hammer that this bill go forward. I believe the veto is based upon a misunderstanding, it is not a mandate, and I ask you to join me in overriding the veto of the Chief Executive. Thank you, Mr. Speaker.

The SPEAKER: The Chair recognizes the Representative from North Yarmouth, Representative Graham.

Representative **GRAHAM**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. I stand to ask my colleagues and friends in this chamber to overturn the veto of LD 1366. Plain and simple, it will save lives. Maurice Poulin, a constituent of the good Representative Gilbert, would not be on this earth if his grandson, Luke Wilcox, hadn't learned CPR in the use of an AED when he was at Greely High School. Luke literally saved his grandfather's life when he collapsed at Luke's sister's play. Denise Allen, his teacher, had been teaching students at Greely High School for many years how to save lives and that's what Luke did. In the Chief Executive's veto letter, he stated this bill was a mandate, and the good Representative from Boothbay concurred. It is not a mandate. This gives schools an

opportunity to teach students about CPR and AED use. I want to thank the Education Committee for working with me to create this opportunity. It has little or no fiscal impact on school districts because most communities have volunteer resources that will do this. EMTs and paramedics are ready to teach our students. Ladies and gentlemen, we ask many things of our students to learn. In my humble opinion, this life skill will be one of the most important things they will learn. It will take 20 minutes out of their four-year high school career. They can learn on a partially deflated soccer ball, which I would prefer because I have a lot of them in my home. They can sing as they do it, and we've seen that. We had two students and the teacher who have done this in our school come to the Education Committee, and I'm happy to say that all the members of the Education Committee now know how to do CPR and use an AED. Mr. Speaker, and my good friends and colleagues in this House, I'd like you to look to your left and to your right and in front of you and in behind you. There is a high probability that one of your colleagues or yourself will have a heart attack. I believe that having more people in this world able to save a life is a good thing, and I ask you, my dear colleagues, to please follow my light and overturn this veto. Thank you.

The SPEAKER: The Chair recognizes the Representative from Newport, Representative Fredette.

Representative **FREDETTE**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. My wife is a school teacher and there are times in her day when there are lots of things that go on, but there are also times when events happen and you need to have training to address issues such as mouth-to-mouth resuscitation and by having training on mouth-to-mouth resuscitation or if a kid is allergic to peanut butter, they need to have training on how to do that. So what this bill does, this bill says let's train these people on how to use a defibrillator. Well, you know, it's actually pretty easy. We have to do it in the military. They teach us how to do it and when you walk down through the halls, there is defibrillators on the walls. I think we've all heard stories where a defibrillator has saved someone's life and I think the fact that this can be done within existing resources and can save lives, it really isn't that big a deal, then I think we ought to do that and I will not be voting to sustain the veto.

The SPEAKER: The Chair recognizes the Representative from Hiram, Representative Rankin.

Representative **RANKIN**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. I rise to support the pending motion. My first experience with a defibrillator was several years ago when I was employed in school nutrition and the director of the ROTC program was instructing his students in the use of the defibrillator. Excuse me, but I guess you weren't hearing me. But anyway, I was saying that the ROTC director was instructing his students in the use of a defibrillator and we were having a conversation about it and he said, "Do you think the employees in the school nutrition program would be interested in that?" I asked them and they certainly were and it proved to be beneficial eventually. Recently, in our meeting in our committee, when they came to discuss having defibrillators in the schools and having the kids trained, there were two young people that came with them who were also, at that time, doing the instruction and the young man had saved his grandfather's life with the use of a defibrillator. As you have already been told, this bill is not a mandate and it certainly would be beneficial to have in schools, and I'm very nervous, as you can tell, doing this. Anyway, a few months ago, I had an incident with my heart and were it not for who I consider my guardian angel, Representative Dr. Linda Sanborn, I might not be here today. And I can tell you if she wasn't there, I don't know what would have happened to me,

but it would have been mighty nice to have a defibrillator around. Indeed, had I not received very, very good care after that as well, I might not be here in the State House either. Likewise, the sayings would apply to many other members of the House with similar problems. For instance, Representative Ayotte. We were all very pleased to see him come back after a very serious condition with his heart. There is also Representative Lajoie, and he and I have discussed our operations together. Right outside our door in the Speaker's office is Executive Secretary Lynne Hanley who also had bypass surgery. And then, of course, over here is Representative Campbell. He and I have a lot in common. Not only are we the oldest person in the chamber, but we had similar surgery, and Lynne and Representative Campbell and myself coincidentally have the same surgeon. So god forbid we should have a serious problem around here, but if we did, I don't think it would be a bad idea to have a defibrillator in the State House and maybe some of us could get trained on that. Indeed, when they were at our meeting, the kids, they trained some of the members of the committee who went out and learned it in a matter of minutes. So I'm sorry I've been such, I'm going to say, a mess of this, I guess, but I'm very, very serious about this and I hope you will support the bill.

The SPEAKER: The Chair recognizes the Representative from Dexter, Representative Wallace.

Representative **WALLACE**: Thank you, Mr. Speaker. Mr. Speaker, Members of the House. We are standing here discussing the veto of the Chief Executive, of a bill I don't even know why we're talking about. The mandate is taken off it. We're not telling the schools or school districts they have to do anything. They can do this stuff if they want to do it. I mean, if we ever tell them they have to do it, then why are we discussing it? If they want to teach this stuff in health, let's have a special class. Go for it. I mean, it's a great idea. It's a fantastic idea. But we're not telling them to do it, so I don't even understand why we're even discussing this. Thank you.

Subsequently, 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.

The SPEAKER: The pending question before the House is 'Shall this Bill become a law notwithstanding the Objections of the Governor?' All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 209V

YEA - Ayotte, Beaulieu, Beavers, Beck, Bennett, Berry, Black, Boland, Bolduc, Briggs, Brooks, Campbell J, Carey, Casavant, Cassidy, Chapman, Chase, Chenette, Chipman, Clark, Cooper, Cray, Crockett, Daughtry, DeChant, Devin, Dickerson, Dill, Dion, Doak, Dorney, Dunphy, Espling, Evangelos, Fowle, Fredette, Frey, Gattine, Gideon, Gilbert, Gillway, Graham, Grant, Guerin, Hamann, Harlow, Harvell, Hayes, Herbig, Hickman, Hubbell, Jones, Jorgensen, Kaenrath, Kent, Keschl, Kinney, Knight, Kornfield, Kruger, Kumiega, Kusiak, Lajoie, Libby N, Lockman, Longstaff, Luchini, MacDonald S, MacDonald W, Maker, Malaby, Marean, Marks, Mason, Mastraccio, McCabe, McGowan, McLean, Monaghan-Derrig, Moonen, Moriarty, Morrison, Nadeau A, Nadeau C, Nelson, Newendyke, Noon, Parry, Peoples, Plante, Pouliot, Powers, Priest, Pringle, Rankin, Rochelo, Rotundo, Russell, Rykerson, Sanborn, Sanderson, Saucier, Saxton, Schneck, Shaw, Short, Stanley, Stuckey, Theriault, Tipping-Spitz, Treat, Turner, Tyler, Verow, Villa, Volk, Weaver, Welsh, Werts, Willette, Wilson, Winchenbach, Winsor, Wood, Mr. Speaker.

NAY - Campbell R, Crafts, Davis, Duprey, Fitzpatrick, Gifford, Jackson, Johnson D, Johnson P, Libby A, Long, McClellan, McElwee, Peavey Haskell, Reed, Sirocki, Timberlake, Wallace.

ABSENT - Beaudoin, Cotta, Farnsworth, Goode, Hobbins, Nutting, Pease, Peterson.

Yes, 125; No, 18; Absent, 8; Excused, 0.

125 having voted in the affirmative and 18 voted in the negative, with 8 being absent, and accordingly the Veto was **NOT SUSTAINED**. Sent for concurrence.

Bill "An Act To Ensure Accountability in State Contracts"

(S.P. 406) (L.D. 1169)

- In House, Majority (8) **OUGHT NOT TO PASS** Report of the Committee on **STATE AND LOCAL GOVERNMENT READ and ACCEPTED** on May 28, 2013.

- In Senate, Senate **INSISTED** on its former action whereby the Minority (3) **OUGHT TO PASS AS AMENDED** Report of the Committee on **STATE AND LOCAL GOVERNMENT** was **READ and ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-67)** and **ASKED** for a Committee of Conference in **NON-CONCURRENCE**.

TABLED - May 30, 2013 (Till Later Today) by Representative BERRY of Bowdoinham.

PENDING - **FURTHER CONSIDERATION**.

Subsequently, the House voted to **INSIST** and **JOIN** in a **COMMITTEE OF CONFERENCE**.

HOUSE DIVIDED REPORT - Majority (10) **Ought to Pass as Amended by Committee Amendment "A" (H-307)** - Minority (3) **Ought Not to Pass** - Committee on **TAXATION** on Bill "An Act To Amend the Law Regarding Affordable Housing Tax Increment Financing"

(H.P. 863) (L.D. 1218)

TABLED - June 3, 2013 (Till Later Today) by Representative GOODE of Bangor.

PENDING - Motion of same Representative to **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report. (Roll Call Ordered)

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

Representative **MOONEN**: Thank you, Mr. Speaker. Mr. Speaker, Men and Women of the House. I rise because this is my bill and I know we are all hungry and I'm hungry too, so I will be very brief. I can understand that there is some healthy skepticism when a Democrat from Portland brings a bill forward with the words "affordable housing" in the title, but I would like to encourage my friends on the other side of the aisle to support this bipartisan Majority Report. This bill actually came about because of a new initiative, recent initiative, called Housing First, and one of the first pioneers of Housing First was the State of Utah, a very conservative state and you got a handout this morning from Utah's Lieutenant Governor who has been the champion on Housing First in his state. On the handout that came from the Republican Lieutenant Governor, he shares some great statistics on how this program has worked in his state. In the last year, overall homelessness has decreased 7 percent, family homelessness has fallen 11 percent, chronic homelessness was reduced by 9 percent, and veteran homelessness was decreased by 12 percent. The chronic homelessness measure is an important one because it is a marker of persistent homelessness which often results in serious untreated medical psychological conditions and even early death, and in this release from the

State of Utah, they report that they have had eight straight years of decrease in chronic homelessness, which, since 2005, has been a reduction of 74 percent in chronic homelessness in that state because of this Housing First program. Well, as one of the Representatives of the City of Portland, we can recognize a good idea when we see one. We would like to copy and hopefully replicate the success that Utah has seen with this program. We would like to do our own Housing First initiatives in the City of Portland. I want to point out that this bill has no fiscal note at all. It's a very straightforward bill, has no cost to the state, and I also would point out that the Maine State Housing Authority testified in favor of this bill and provided some of their own language to enhance it in the Committee Amendment. I guess I would just ask for strong bipartisan support, just like we had in the Committee Report so that we can try to do the same success with reducing chronic homelessness in the City of Portland that we have seen in the State of Utah. Thank you very much, Mr. Speaker.

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

Representative **HARLOW**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. I just wanted to let the good Representative from Portland know that even though I am on the other side of the aisle from him, I will be supporting the bill. Thank you.

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

ROLL CALL NO. 210

YEA - Ayotte, Beaulieu, Beavers, Beck, Berry, Black, Boland, Bolduc, Briggs, Brooks, Campbell J, Campbell R, Carey, Casavant, Cassidy, Chapman, Chase, Chenette, Chipman, Clark, Cooper, Crafts, Cray, Crockett, Daughtry, Davis, DeChant, Devin, Dickerson, Dill, Dion, Doak, Dorney, Duprey, Espling, Evangelos, Fitzpatrick, Fowle, Fredette, Frey, Gattine, Gideon, Gifford, Gilbert, Gillway, Graham, Grant, Guerin, Hamann, Harlow, Harvell, Hayes, Herbig, Hickman, Hubbell, Johnson P, Jones, Jorgensen, Kaenrath, Kent, Keschl, Kinney, Knight, Kornfield, Kruger, Kumiega, Kusiak, Lajoie, Libby N, Lockman, Longstaff, Luchini, MacDonald S, MacDonald W, Maker, Malaby, Marean, Marks, Mason, Mastraccio, McCabe, McClellan, McElwee, McGowan, McLean, Monaghan-Derrig, Moonen, Moriarty, Morrison, Nadeau A, Nadeau C, Nelson, Newendyke, Noon, Parry, Pease, Peoples, Plante, Pouliot, Powers, Priest, Pringle, Rankin, Reed, Rochelo, Rotundo, Russell, Rykerson, Sanborn, Saucier, Saxton, Schneck, Shaw, Short, Sirocki, Stanley, Stuckey, Theriault, Timberlake, Tipping-Spitz, Treat, Tyler, Verow, Villa, Volk, Wallace, Weaver, Welsh, Werts, Willette, Wilson, Winchenbach, Wood, Mr. Speaker.

NAY - Bennett, Dunphy, Jackson, Johnson D, Libby A, Long, Peavey Haskell, Sanderson, Turner, Winsor.

ABSENT - Beaudoin, Cotta, Farnsworth, Goode, Hobbins, Nutting, Peterson.

Yes, 134; No, 10; Absent, 7; Excused, 0.

134 having voted in the affirmative and 10 voted in the negative, with 7 being absent, and accordingly the Majority **Ought to Pass as Amended** Report was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (H-307)** was **READ** by the Clerk and **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" (H-307)** and sent for concurrence.

On motion of Representative JACKSON of Oxford, the House adjourned at 1:16 p.m., until 9:00 a.m., Wednesday, June 6, 2013 in honor and lasting tribute to Dennis L. Sanborn, of Oxford.

CONSENT CALENDAR

First Day

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

(S.P. 77) (L.D. 241) Bill "An Act To Amend Certain Laws Governing the Bureau of Maine Veterans' Services" Committee on **VETERANS AND LEGAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-181)**

(S.P. 376) (L.D. 1094) Bill "An Act To Fully Implement Health Insurance Exchanges and To Make Maine Law Consistent with Federal Law" Committee on **INSURANCE AND FINANCIAL SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-185)**

(S.P. 447) (L.D. 1299) Bill "An Act To Amend Campaign Finance Laws" Committee on **VETERANS AND LEGAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-191)**

(S.P. 449) (L.D. 1306) Bill "An Act To Enhance Voter Registration for Persons with Disabilities" Committee on **VETERANS AND LEGAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-182)**

(S.P. 454) (L.D. 1311) Bill "An Act To Amend the Laws Governing Unemployment Compensation To Ensure Conformity with the Federal Trade Adjustment Assistance Extension Act of 2011" Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-183)**

(S.P. 554) (L.D. 1489) Bill "An Act To Address Maine's Immediate Workforce Needs" Joint Select Committee on **MAINE'S WORKFORCE AND ECONOMIC FUTURE** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-194)**

(S.P. 562) (L.D. 1504) Resolve, Directing the Adjutant General of the State To Ensure the Maine Code of Military Justice Addresses Sexual Trauma in the Military Committee on **VETERANS AND LEGAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-189)**

(S.P. 574) (L.D. 1519) Bill "An Act To Update the Maine Insurance Code To Maintain Conformance with Uniform National Standards" Committee on **INSURANCE AND FINANCIAL SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-184)**

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

There being no objection, the Senate Papers were **PASSED TO BE ENGROSSED as Amended** in concurrence.

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

Representative **BRIGGS**: Thank you, Mr. Speaker. Had I been present for Roll Call No. 208, LD 1324, I would have voted yea, and also on Roll Call No. 206, LD 1302, I would have voted yea. Thank you.

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