

# MAINE STATE LEGISLATURE

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

**Daily Edition**

**First Regular Session**

beginning December 3, 2014

beginning at page H-1

ONE HUNDRED AND TWENTY-SEVENTH LEGISLATURE  
 FIRST REGULAR SESSION  
 35th Legislative Day  
 Tuesday, April 28, 2015

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

Prayer by Pastor Justin Thacker, Praise Assembly of God, Rumford.

National Anthem by Ann Guiney, Dayton, Sophia Hines, Kennebunk, Lucy Stone, Kennebunk and Mae McDougald, Kennebunkport.

Pledge of Allegiance.

Doctor of the day, Lani Graham, M.D., M.P.H., Portland.

The Journal of April 23, 2015 was read and approved.

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**SENATE PAPERS**

**Non-Concurrent Matter**

An Act To Exempt a Fee for a Paper or Plastic Single-use Carry-out Bag from Tax (EMERGENCY)

(S.P. 206) (L.D. 590)  
 (C. "A" S-15)

**PASSED TO BE ENACTED** in the House on April 16, 2015.

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

On motion of Representative McCABE of Skowhegan, **TABLED** pending **FURTHER CONSIDERATION** and later today assigned.

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**Non-Concurrent Matter**

Bill "An Act To Prohibit the Use of a Mobile Telephone When Operating a Motor Vehicle Except in Hands-free Mode"

(S.P. 60) (L.D. 185)

Majority (7) **OUGHT NOT TO PASS** Report of the Committee on **TRANSPORTATION READ** and **ACCEPTED** in the House on April 21, 2015.

Came from the Senate with the Minority (6) **OUGHT TO PASS AS AMENDED** Report of the Committee on **TRANSPORTATION READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-13) AS AMENDED BY SENATE AMENDMENT "A" (S-51)** thereto in **NON-CONCURRENCE**.

On motion of Representative McCABE of Skowhegan, **TABLED** pending **FURTHER CONSIDERATION** and later today assigned.

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**Non-Concurrent Matter**

Bill "An Act To Improve the Authority of Guardians of Persons with Intellectual Disabilities or Autism"

(H.P. 834) (L.D. 1216)

**REFERRED** to the Committee on **HEALTH AND HUMAN SERVICES** in the House on April 2, 2015.

Came from the Senate **REFERRED** to the Committee on **JUDICIARY** in **NON-CONCURRENCE**.

Speaker EVES of North Berwick moved that the House **INSIST**.

On motion of Representative McCABE of Skowhegan, **TABLED** pending the motion of Speaker EVES of North Berwick to **INSIST** and later today assigned.

**Non-Concurrent Matter**

Bill "An Act To Prohibit Unauthorized Custody Transfers of Children"

(H.P. 911) (L.D. 1342)

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

Came from the Senate **REFERRED** to the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** in **NON-CONCURRENCE**.

On motion of Representative McCABE of Skowhegan, **TABLED** pending **FURTHER CONSIDERATION** and later today assigned.

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**COMMUNICATIONS**

The Following Communication: (H.C. 125)

**STATE OF MAINE**  
**CLERK'S OFFICE**  
**2 STATE HOUSE STATION**  
**AUGUSTA, MAINE 04333-0002**

April 28, 2015

Honorable Mark W. Eves

Speaker of the House

2 State House Station

Augusta, Maine 04333

Dear Speaker Eves:

Pursuant to Joint Rule 310, the following Joint Standing Committees have voted unanimously to report the following bills out "Ought Not to Pass:"

Labor, Commerce, Research and Economic Development

L.D. 869

An Act To Allow Dealers of Antique Autos To Be Open and Operate on Sundays

L.D. 1109

An Act To Facilitate the Completion of Training by Certain Cosmetology Students (EMERGENCY)

Marine Resources

L.D. 492

An Act To Expand Eligibility for Lobster and Crab Fishing Licenses for Veterans (EMERGENCY)

L.D. 1016

An Act To Allow Retired Marine Patrol Officers To Obtain up to 2 Marine Fisheries Licenses

L.D. 1143

An Act To Promote Protection of Intertidal Rockweed Habitat

State and Local Government

L.D. 724

An Act To Authorize Municipal Fire Districts To Impose Service Charges

L.D. 874

An Act To Provide Transparency and Accountability of Taxpayer Funds

Veterans and Legal Affairs

L.D. 754

RESOLUTION, Proposing an Amendment to the Constitution of Maine To Ensure That Laws Governing Hunting and Fishing Are Not Subject to the Citizen Petition Process

L.D. 964

An Act To Provide Access to Private Apartment Complexes for Political Candidates

L.D. 990

An Act To Limit Agency Expenditures To Influence Elections

L.D. 1083

An Act To Facilitate the Use of Half-gallon Containers for Malt Liquor at Maine Brew Pubs

L.D. 1219

An Act To Allow Active Members and Veterans of the Armed Forces Who Are at Least 18 Years of Age and under 21 Years of Age To Consume Alcohol at Eligible Veterans' Organization Posts and American Legion Halls

L.D. 1228 An Act To Amend the Ballot Initiative Process To Ensure Support in Maine's Congressional Districts

Sincerely,  
S/Robert B. Hunt  
Clerk of House

**READ** and with accompanying papers **ORDERED PLACED ON FILE.**

The Following Communication: (H.C. 126)

**STATE OF MAINE  
CLERK'S OFFICE  
2 STATE HOUSE STATION  
AUGUSTA, MAINE 04333-0002**

April 23, 2015  
Honorable Mark W. Eves  
Speaker of the House  
2 State House Station  
Augusta, Maine 04333

Dear Speaker Eves:  
Pursuant to Joint Rule 310, the Committee on Marine Resources has approved the request by the sponsor, Representative Bear of the Houlton Band of Maliseet Indians, to report the following "Leave to Withdraw":

L.D. 1297 An Act To Amend Marine Resources Licensing Restrictions for Wabanaki Tribal Members

Sincerely,  
S/Robert B. Hunt  
Clerk of the House

**READ** and with accompanying papers **ORDERED PLACED ON FILE.**

The Following Communication: (S.C. 228)

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

April 23, 2015  
Honorable Robert B. Hunt  
Clerk of the House  
2 State House Station  
Augusta, Maine 04333

Dear Clerk Hunt:  
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 Criminal Justice and Public Safety on Bill "An Act To Create a Permanent Wabanaki Law Enforcement Seat on the Board of Trustees of the Maine Criminal Justice Academy" (H.P. 171) (L.D. 239).

Best Regards,  
S/Heather J.R. Priest  
Secretary of the Senate

**READ** and **ORDERED PLACED ON FILE.**

**PETITIONS, BILLS AND RESOLVES REQUIRING REFERENCE**

The following Bills were received, and upon the recommendation of the Committee on Reference of Bills were **REFERRED** to the following Committees, ordered printed and sent for concurrence:

**HEALTH AND HUMAN SERVICES**

Bill "An Act To Require the Documentation of the Use of Seclusion and Restraint at Mental Health Institutions in the State" (H.P. 929) (L.D. 1368)  
Sponsored by Representative SIROCKI of Scarborough.

**LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT**

Bill "An Act To Encourage the Redevelopment of Upper Floors of Buildings in Downtowns and on Main Streets" (H.P. 930) (L.D. 1372)

Sponsored by Representative CAMPBELL of Orrington.  
Cosponsored by Senator BREEN of Cumberland and Representatives: BUCKLAND of Farmington, CHIPMAN of Portland, DUCHESNE of Hudson, HANLEY of Pittston, HARLOW of Portland, WELSH of Rockport, Senator: SAVIELLO of Franklin.  
Bill "An Act To Create the Put ME To Work Program" (H.P. 932) (L.D. 1373)

Sponsored by Speaker EVES of North Berwick.  
Cosponsored by Senator CUSHING of Penobscot and Representatives: FARRIN of Norridgewock, HERBIG of Belfast, PETERSON of Rumford, SAUCIER of Presque Isle, SHERMAN of Hodgdon, STANLEY of Medway, Senators: PATRICK of Oxford, VOLK of Cumberland.

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

**ORDERS**

On motion of Representative HOBBS of Saco, the following Joint Order: (H.P. 931)

**ORDERED**, the Senate concurring, that the Joint Standing Committee on Judiciary shall report out, to the House, a bill regarding the late reinstatement of corporations, limited partnerships and limited liability companies after administrative dissolution.

**READ** and **PASSED.**  
Sent for concurrence.

**SPECIAL SENTIMENT CALENDAR**

In accordance with House Rule 519 and Joint Rule 213, the following item:

**Recognizing:**

Katie Wheeler, of Biddeford, whose proper and truthful civic response protected the private information of over 300 people. Ms. Wheeler received over 300 confidential credit reports by mistake in the mail. She reported the error to the media, who connected her with the Maine Bureau of Consumer Credit Protection. We acknowledge Ms. Wheeler's role in helping to protect the private information of so many people and we send her our best wishes;

(HLS 250)

Presented by Representative GROHMAN of Biddeford.  
Cosponsored by Senator DUTREMBLE of York, Representative FECTEAU of Biddeford.

On **OBJECTION** of Representative GROHMAN of Biddeford, was **REMOVED** from the Special Sentiment Calendar.

**READ.**

The **SPEAKER**: The Chair recognizes the Representative from Biddeford, Representative Grohman.

Representative **GROHMAN**: Thank you, Mr. Speaker, Ladies and Gentlemen of the House, my constituent Katie Wheeler ordered her credit report. She received 300 credit reports full of details that none of us would want shared, and instead of ordering 300 credit cards, and taking 300 trips to the Bahamas, she did the right thing and turned those credit reports in to the Maine Bureau of Credit Protection.

Subsequently, the Sentiment was **PASSED** and sent for concurrence.

**REPORTS OF COMMITTEE  
Change of Committee**

Report of the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** on Bill "An Act To Create a Cause of Action for Damage to Public Easements"

(S.P. 377) (L.D. 1074)

Reporting that it be **REFERRED** to the Committee on **STATE AND LOCAL GOVERNMENT**.

Came from the Senate with the Report **READ** and **REJECTED** and the Bill and accompanying papers **COMMITTED** to the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY**.

The Unanimous Committee Report was **READ**.

On further motion of Representative McCABE of Skowhegan, **TABLED** pending **ACCEPTANCE** of the Committee Report and later today assigned.

**Divided Reports**

Majority Report of the Committee on **ENVIRONMENT AND NATURAL RESOURCES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-83)** on Bill "An Act To Strengthen Recycling of Single-use Plastic Shopping Bags"

(H.P. 219) (L.D. 325)

Signed:

Senator:

BREEN of Cumberland

Representatives:

WELSH of Rockport  
CHIPMAN of Portland  
DUCHESNE of Hudson  
HARLOW of Portland  
MARTIN of Eagle Lake  
TUCKER of Brunswick

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

Signed:

Senators:

SAVIELLO of Franklin  
BRAKEY of Androscoggin

Representatives:

BUCKLAND of Farmington  
CAMPBELL of Orrington  
HANLEY of Pittston  
WHITE of Washburn

**READ.**

Representative WELSH of Rockport 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 Yarmouth, Representative Cooper.

Representative **COOPER**: Thank you, Mr. Speaker. I rise in order to voice opposition to the pending motion. As all of you know, there have been efforts throughout the country to ban the use of plastic shopping bags, most recently in the city of Portland, and the sky has not fallen in any of those communities.

We have tried before in the last Legislature. We had a bill before us and the principal opposition related to the charging of a small fee for plastic bags should the shopper choose to use a plastic shopping bag at the time. This bill contains no fee requirement. You can, it is simply a ban on the use of certain plastic bags, not all plastic bags. For example, the little light bags that you use to put your vegetables in, or that are used for packaging within the store, or the covering for dry cleaning, plastic bags for takeout food, all those are exempted. We're really just talking about the kind of shopping bags that are used in larger grocery stores.

And, there are many alternatives to those kinds of bags—both paper, which can be provided free by the store, or by the reusable bags that many people have, bring to the store. And there's signs all over the place reminding you to bring them there.

The reason for these efforts is because plastic bags wind up in our landfills and they never go away. They last forever. And they also, because of their lightness, wind up being tossed about in the air, landing on our trees, in our rivers, in our oceans. There are parts of the oceans that are nothing but huge collections of plastic shopping bags destroying marine life and otherwise impacting on our environment here in Maine.

So, there are good policy reasons for getting rid of these bags and replacing them with something that is not so harmful to our environment. And so, I urge you to think carefully about whether or not we should wait until it's a disaster here, and instead follow the lead of progressive states and communities across the country and get rid of these bags once and for all. Thank you.

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

Representative **CAMPBELL**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House, I took a walk over to Hannaford's in Waterboro, Mr. Speaker, and walked down the aisle. You know how wide the aisles are and how long they are. And on my right, from the beginning, half way down, five or six shelves, there was plastic bags of all sizes and sorts. Plastic forks, plastic knives, plastic this and plastic that. But they're not touched. It's just a shopping bag that when you go shopping you depend on get it, and that's about all it amounts to.

Just an inconvenience, a very inconvenience for the elderly and maybe the poor, and for the stores themselves. So I say follow my light and vote against this bill. Thank you.

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, after my absence of 12 years, I returned last legislative session and came upon this bill and at that time there was a fee for these bags. It didn't make sense to me then and it's making even less sense to ban this product.

Obviously this bill doesn't completely ban, but I rise in opposition to the motion and would like to speak to that. After it came to the committee, I decided I'd do an independent study as

the snow was melting on my drive north and south, once a day, sometimes twice a day. And, I came upon this, as mentioned it was as the snow was melting: I found Northbound and Southbound 11 bags in the trees, for which offends all of us. I found a significant amount of plastic wrap—it's a plastic product that you wrap around things that comes in long strands. I found seven of those. I found four plastic 4 MIL, significant amount of the clear, almost clear plastic in piles Northbound—that's what we wrap our foundations with. I found five plastic painters tarps that's thin, larger, and gets into the trees just as easy as the small bags, and much more offensive. I found seven plastic 5 gallon mud buckets—that's the white bucket that joint compound comes in. And then I found that in variations of blue and red and yellow. I found many plastic gallon bottles. And if you look real hard, you can find multicolors of plastic surveyor's tape wrapped around posts and trees to mark boundaries.

Now, as the snow continued to melt, the ditches in the back slopes of the interstate began to be exposed. And then we had the bottom of the swale or the ditch exposed, and then I lost count. Plastic traffic cones, plastic barrels for traffic control, plastic cups, plastic wheel covers—we used to call them hubcaps—but they were about everywhere. And then, as you probably listened to the news and driving Northbound just before the Carmel/Winterport exit, there was just about a quarter of a mile of plastic car parts, I'm sorry, from bumpers to fenders to grills. There was a basic junkyard.

Now, we live in a culture where plastic has become quite important. Yet, here we are back in front of the second Legislature with a bill to ban a very small, very convenient piece of plastic. And, plastic, in terms of the bill was a single-use plastic shopping bag. That's the one that you use once. Generally, at the grocery store, but at every store, every shopping mall, everywhere you go you get a plastic bag. All those will be banned.

Now, I took some time to read on some of these bags. What they say: The Kohl's bag, it says, "Gray matters. Did you know? Kohl's gray plastic bags allow for a higher percentage of recycled content than standard plastic bags." And then below it in print almost, font almost as big as "Kohl's" it says, "Please return this bag to any Kohl's store for recycling." And if you've ever really looked at the Hannaford bag, the Hannaford bag is made of 80 percent recycled material. And on it, it also says, "Reuse as many times as you can. And then return it to Hannaford's."

We should not be banning a small piece of our society that has become pretty much the majority of products—plastic. Especially, these products in the plastic bag that this specifically bans, who's really trying to encourage education and reuse of a product that actually works. Thank you, Mr. Speaker.

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

Representative **BUCKLAND**: Thank you, Mr. Speaker. I rise because I also am concerned about the amount of trash in the oceans and I heard that mentioned earlier in some comments. In looking into this, indeed, plastic is a huge problem in sea trash. Indeed, 8 million tons per year is dumped into the sea, but the major contributors, the countries from which these come from, none of which exist in the western hemisphere.

On a more local level, in the Gulf of Maine, there are some great folks at the Ocean Conservancy who do these trash cleanups on various beaches, islands, as well as net drags around the Gulf of Maine and Casco Bay, 200 miles, seven beaches, four islands and over 7,500 pieces of trash, which they characterized. And, what they found was the typical high count items that they find every year, and these were items like food

wrappers, plastic beverage bottles, foam cups, plates, bottle caps were prevalent on almost every cleanup conducted.

These are not incredible surprising because we know that trash travels, whether carried by wind or human hands or what have you. Yet, during the journey, single-use plastic bags, single-use plastic items, were not our biggest finds. The biggest finds were fishing gear, including rope, monofilament line, fishing buoys, pots and traps, lobster claw bands topped off the list of items collected throughout the entire journey. So, although I, too, think that we have a terrible plastic in the ocean problem, in my best estimation, it has nothing to do with plastic shopping bags. Thank you.

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

Representative **COOPER**: Thank you, Mr. Speaker, first I wanted to correct a error. I meant to say that I am in support of the pending motion. And, secondly, I would say that in response to the good Representative from Orrington, that yes, plastics are ubiquitous, but that does not mean we should not take a stab at getting rid of some of the most persistent problems in our landfills and in our oceans, and I do disagree that these are a minor part of the problem.

There are parts of the ocean where these plastic bags have been found to be swirling around for miles across the ocean. They float, as opposed to other types of plastic made products, which makes them particularly dangerous to sea animals and mammals and fish. So, the fact that we cannot get rid of all plastics in our society, nor would it necessarily be a wise thing to do, does not mean we should not try to use perfectly good alternatives to the shopping bags that are now so prevalent. Thank you.

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. 38

YEA - Babbidge, Bates, Beavers, Beck, Beebe-Center, Blume, Brooks, Bryant, Burstein, Chapman, Chipman, Cooper, Daughtry, Davitt, Dion, Doore, Dunphy M, Farnsworth, Fowle, Frey, Gattine, Gideon, Golden, Goode, Harlow, Herbig, Hobbins, Hogan, Hubbell, Jorgensen, Kornfield, Kruger, Kumiega, Lajoie, Longstaff, Martin J, Martin R, McCabe, McCreight, McLean, Melaragno, Monaghan, Moonen, Morrison, Noon, Pierce T, Powers, Rotundo, Russell, Sanborn, Saucier, Schneck, Shaw, Stanley, Stuckey, Tepler, Tipping-Spitz, Tucker, Verow, Warren, Welsh, Mr. Speaker.

NAY - Alley, Austin, Battle, Black, Buckland, Campbell J, Campbell R, Chace, Chenette, Corey, Crafts, DeChant, Dillingham, Duchesne, Dunphy L, Edgcomb, Espling, Evangelos, Farrin, Fecteau, Foley, Fredette, Gerrish, Gilbert, Gillway, Ginzler, Grant, Greenwood, Grohman, Guerin, Hamann, Hanington, Hanley, Hawke, Head, Herrick, Hickman, Higgins, Hilliard, Hobart, Kinney J, Kinney M, Lockman, Long, Luchini, Lyford, Maker, Malaby, Marean, Mastraccio, McClellan, McElwee, Nadeau, Nutting, O'Connor, Parry, Peterson, Picchiotti, Pickett, Pierce J, Pouliot, Prescott, Reed, Sanderson, Sawicki, Seavey, Short, Sirocki, Skolfield, Stearns, Stetkis, Sukeforth, Theriault, Timberlake, Timmons, Tuell, Turner, Vachon, Wadsworth, Wallace, Ward, White, Winsor, Wood.

ABSENT - Bickford, Devin, Hymanson, Rykerson, Sherman.

Yes, 62; No, 84; Absent, 5; Excused, 0.

62 having voted in the affirmative and 84 voted in the negative, with 5 being absent, and accordingly the Majority **Ought to Pass as Amended Report was NOT ACCEPTED.**

Subsequently, on motion of Representative McCABE of Skowhegan, the Minority **Ought Not to Pass** Report was **ACCEPTED** and sent for concurrence.

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Majority Report of the Committee on **ENVIRONMENT AND NATURAL RESOURCES** reporting **Ought Not to Pass** on Bill "An Act To Amend the Laws Governing the Prohibition on the Sale of Motor Fuel Containing Corn-based Ethanol" (H.P. 415) (L.D. 602)

Signed:

Senators:

SAVIELLO of Franklin  
BREEN of Cumberland

Representatives:

WELSH of Rockport  
BUCKLAND of Farmington  
CAMPBELL of Orrington  
CHIPMAN of Portland  
DUCHESNE of Hudson  
HANLEY of Pittston  
MARTIN of Eagle Lake  
TUCKER of Brunswick

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-79)** on same Bill.

Signed:

Senator:

BRAKEY of Androscoggin

Representatives:

HARLOW of Portland  
WHITE of Washburn

**READ.**

On motion of Representative WELSH of Rockport, the Majority **Ought Not to Pass** Report was **ACCEPTED** and sent for concurrence.

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Majority Report of the Committee on **ENVIRONMENT AND NATURAL RESOURCES** reporting **Ought Not to Pass** on Bill "An Act To Reduce Waste from Disposable Bags" (H.P. 461) (L.D. 680)

Signed:

Senators:

SAVIELLO of Franklin  
BRAKEY of Androscoggin  
BREEN of Cumberland

Representatives:

WELSH of Rockport  
BUCKLAND of Farmington  
CAMPBELL of Orrington  
DUCHESNE of Hudson  
HANLEY of Pittston  
MARTIN of Eagle Lake  
TUCKER of Brunswick  
WHITE of Washburn

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-84)** on same Bill.

Signed:

Representatives:

CHIPMAN of Portland  
HARLOW of Portland

**READ.**

On motion of Representative WELSH of Rockport, the Majority **Ought Not to Pass** Report was **ACCEPTED** and sent for concurrence.

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Majority Report of the Committee on **INSURANCE AND FINANCIAL SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-80)** on Bill "An Act To Allow Equipment Rental Companies To Sell Equipment Insurance" (H.P. 223) (L.D. 329)

Signed:

Senators:

WHITTEMORE of Somerset  
BAKER of Sagadahoc  
GRATWICK of Penobscot

Representatives:

FOLEY of Wells  
MORRISON of South Portland  
PICCHIOTTI of Fairfield  
PRESCOTT of Waterboro  
WALLACE of Dexter

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

Signed:

Representatives:

BECK of Waterville  
BROOKS of Lewiston  
COOPER of Yarmouth  
MELARAGNO of Auburn  
TUCKER of Brunswick

**READ.**

Representative BECK of Waterville moved that the House **ACCEPT** the Minority **Ought Not to Pass** Report.

Representative FREDETTE of Newport **REQUESTED** a roll call on the motion to **ACCEPT** the Minority **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 Fairfield, Representative Picchiotti.

Representative **PICCHIOTTI**: Thank you, Mr. Speaker, and Ladies and Gentlemen of the House, I just want to say a few words on this bill. It's basically a pretty simple bill, and it's a common-sense bill.

Currently, if you rent a piece of motorized equipment from a rental company, you have absolutely no coverage on your homeowner's insurance, you have no coverage on your auto policy, and you cannot purchase insurance from that rental company because it is not available. All this bill does is simply allow a rental company to contract with an insurance company such as the same as car rental companies do, so that they can offer you a piece of equipment insurance on that particular motorized type of equipment. If you rent a lift, for example, to fix your house, and you tip that lift over, you could be on the line from \$25 to \$100,000 cost of that lift because there is no coverage for that stuff. That's all this bill simply does.

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

**ROLL CALL NO. 39**

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

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

ABSENT - Bickford, Devin, Hymanson, Rykerson, Sherman.

Yes, 71; No, 75; Absent, 5; Excused, 0.

71 having voted in the affirmative and 75 voted in the negative, with 5 being absent, and accordingly the Minority **Ought Not to Pass** Report was **NOT ACCEPTED**.

Subsequently, on motion of Representative McCABE of Skowhegan, the Majority **Ought to Pass as Amended** Report was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (H-80)** was **READ** by the Clerk and **ADOPTED**. The Bill was assigned for **SECOND READING** Wednesday, April 29, 2015.

Majority Report of the Committee on **INSURANCE AND FINANCIAL SERVICES** reporting **Ought to Pass** on Bill "An Act To Assist Persons with Breast Cancer"

(H.P. 246) (L.D. 359)

Signed:

Senator:

BAKER of Sagadahoc

Representatives:

BECK of Waterville

BROOKS of Lewiston

COOPER of Yarmouth

MELARAGNO of Auburn

MORRISON of South Portland

PRESCOTT of Waterboro

TUCKER of Brunswick

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

Signed:

Senators:

WHITTEMORE of Somerset

GRATWICK of Penobscot

Representatives:

FOLEY of Wells

PICCHIOTTI of Fairfield

WALLACE of Dexter

**READ.**

Representative BECK of Waterville moved that the House **ACCEPT** the Majority **Ought to Pass** Report.

The same Representative **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: The Chair recognizes the Representative from Waterville, Representative Longstaff.

Representative **LONGSTAFF**: Thank you, Mr. Speaker, Ladies and Gentlemen of the House, this is a bill that I sponsored at first at the request of a constituent, but as I looked more and more into the situation that makes this bill desirable, I became more and more convinced that it ought to pass.

I begin by acknowledging that there is no serious problem with the current law. As someone put it absolutely correctly at a work session, "The problem is not with the law, but with the implementation of the law." This bill would clarify the law and benefit, I think benefit substantially, women who have had mastectomies.

Mastectomy is traumatic surgery—traumatic to the body and in other ways. In many ways, women are not ready to go home, as the current law provides, in 23 hours. Why? Because of the residual effects of anesthesia, because of the residual effects of pain medication, and of course, the traumatic effects of surgery itself. I have seen this, I have talked to people, I have talked to women who are prepared for discharged when they are not really ready. They are usually told that they can stay longer if their doctor, in conference, recommends a longer stay, but that it is not guaranteed. Many women, fearing that the longer stay might not be covered by their insurance, and that they would be responsible for substantial charges, simply go home. Often, home before they are ready to go home.

I talked at length with one of my constituents who had a double mastectomy. Fortunately, she is also a healthcare worker who knew the language. She knew how to ask for the longer stay, and she was able to stay beyond the 23 hours. Many women do not have that kind of knowledge of how the system works.

Simply put, this bill simply extends the length of time that insurance companies must cover the patient following the surgery from 23 to 48 hours. At the public hearing, there were representative from the medical community, from the cancer society, and a number of former patients, all of whom testified in favor of this bill. The only people to speak in opposition were representatives of the insurance companies. I point out that nothing in this bill prevents the discharge of a woman earlier than 48 hours, if she and her doctor agree that this is appropriate. It just means that at the time when women are suffering the residual effects, the after effects, of traumatic surgery, they are not pressed into a quick decision, which usually is not good for their health. It gives them and their doctor the flexibility to extend



this up to 48 hours. I feel strongly that this bill ought to pass. Thank you, Ladies and Gentlemen of the House.

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

Representative **FOLEY**: Thank you, Mr. Speaker. I rise in opposition to the pending motion, not because I don't care about women and breast cancer. And, the current law is sufficient in protecting a woman and her need to stay. The current law, which follows the ACA state stat, the stay is between the doctor and the patient, and then in consultation with the insurance company. It is up to the physician and the patient to determine how long they need to stay.

We did hear testimony that from the insurance companies that the average stay for most mastectomy patients is three days. There is no need to instill longer stays in law. The law already addresses it and follows the ACA. So, I vote that you Ought Not to Pass. We don't need additional laws. The law that we have now currently takes care of the situation. Thank you, Mr. Speaker.

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

Representative **BROOKS**: I rise in support of the pending motion. I agree that the medical decisions should be made between doctors and patients. In the implementation of the current law, we saw a person come before us that was affected with breast cancer, and required a double mastectomy. She was told that she needed prior authorization from her insurance company, and was prior authorized for a 23 hour stay.

In her life, she was dealing with the medical issues that she was dealing with, but the anxiety caused by only being authorized, prior authorized for a 23 hours stay only added to her burden. Having been in the medical field, she was able to advocate for herself when she was in such pain that she wasn't able to move around in bed without assistance. She was able to advocate for herself and work with her doctor and get approved for a longer stay through the insurance company, the way that the law is now. But she did have the benefit of being in the medical field, and having been both trained as a doctor and a patient, I know that it's a vulnerable position to be in, and many people are not able to advocate for themselves. And, plus the anxiety and the worry that comes from having a limit, a time limit, on the hospital stay, and being worried about being charged an astronomical amount to stay longer and to have to negotiate these waters is really challenging.

And, I would like to get back to the days where healthcare is not a business, where it's between the doctor and the patients, and this bill is, I believe, more of a step in the correct direction. So, I urge you to follow the green light and vote Ought to Pass on this bill.

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. 40

YEA - Alley, Babbidge, Bates, Battle, Beavers, Beck, Beebe-Center, Black, Blume, Brooks, Bryant, Burstein, Campbell J, Campbell R, Chapman, Chenette, Chipman, Cooper, Corey, Daughtry, Davitt, DeChant, Dillingham, Dion, Doore, Duchesne, Dunphy M, Edgecomb, Espling, Evangelos, Farnsworth, Fecteau, Fowle, Frey, Gattine, Gerrish, Gideon, Gilbert, Gillway, Ginzler, Golden, Goode, Grant, Greenwood, Grohman, Hamann, Hanington, Harlow, Head, Herbig, Herrick, Hickman, Higgins, Hobart, Hobbins, Hogan, Hubbell, Jorgensen, Kinney M, Kornfield, Kruger, Kumiega, Lajoie, Long, Longstaff, Luchini, Maker, Martin J, Martin R, Mastraccio, McCabe, McCreight,

McElwee, McLean, Melaragno, Monaghan, Moonen, Morrison, Nadeau, Noon, Parry, Peterson, Picchiotti, Pierce J, Pierce T, Pouliot, Powers, Prescott, Rotundo, Russell, Sanderson, Saucier, Sawicki, Schneck, Shaw, Short, Stanley, Stuckey, Sukeforth, Tepler, Timberlake, Timmons, Tipping-Spitz, Tucker, Tuell, Turner, Verow, Ward, Warren, Welsh, Mr. Speaker.

NAY - Austin, Buckland, Chace, Crafts, Dunphy L, Farrin, Foley, Fredette, Guerin, Hanley, Hawke, Hilliard, Kinney J, Lockman, Lyford, Malaby, Marean, McClellan, Nutting, O'Connor, Pickett, Reed, Sanborn, Seavey, Sirocki, Skolfield, Stearns, Stetkis, Theriault, Vachon, Wadsworth, Wallace, White, Winsor, Wood.

ABSENT - Bickford, Devin, Hymanson, Rykerson, Sherman.

Yes, 111; No, 35; Absent, 5; Excused, 0.

111 having voted in the affirmative and 35 voted in the negative, with 5 being absent, and accordingly the Majority **Ought to Pass Report was ACCEPTED.**

The Bill was **READ ONCE** and was assigned for **SECOND READING** Wednesday, April 29, 2015.

On motion of Representative FREDETTE of Newport, the House **RECONSIDERED** its action whereby the House voted to **ACCEPT** the Majority **Ought Not to Pass** Report on Bill "An Act To Reduce Waste from Disposable Bags"

(H.P. 461) (L.D. 680)

The same Representative **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: 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. 41

YEA - Alley, Austin, Bates, Battle, Beck, Beebe-Center, Black, Blume, Brooks, Bryant, Buckland, Campbell J, Campbell R, Chace, Chenette, Corey, Crafts, Daughtry, Davitt, DeChant, Dillingham, Dion, Doore, Duchesne, Dunphy L, Dunphy M, Edgecomb, Espling, Evangelos, Farnsworth, Farrin, Fecteau, Foley, Fowle, Fredette, Frey, Gattine, Gerrish, Gideon, Gilbert, Gillway, Ginzler, Golden, Goode, Grant, Greenwood, Grohman, Guerin, Hamann, Hanington, Hanley, Hawke, Head, Herbig, Herrick, Hickman, Hilliard, Hobart, Hobbins, Hogan, Hubbell, Jorgensen, Kinney J, Kinney M, Kornfield, Kruger, Kumiega, Lockman, Long, Longstaff, Luchini, Lyford, Maker, Malaby, Marean, Martin J, Martin R, Mastraccio, McCabe, McClellan, McCreight, McElwee, McLean, Morrison, Nadeau, Nutting, O'Connor, Parry, Peterson, Picchiotti, Pickett, Pierce J, Pierce T, Pouliot, Powers, Prescott, Reed, Rotundo, Sanborn, Sanderson, Saucier, Sawicki, Schneck, Seavey, Shaw, Short, Sirocki, Stanley, Stearns, Stetkis, Sukeforth, Tepler, Theriault, Timberlake, Timmons, Tipping-Spitz, Tucker, Tuell, Turner, Vachon, Verow, Wadsworth, Wallace, Ward, Warren, Welsh, White, Winsor, Wood, Mr. Speaker.

NAY - Babbidge, Beavers, Burstein, Chapman, Chipman, Cooper, Harlow, Lajoie, Melaragno, Monaghan, Moonen, Noon, Russell, Skolfield, Stuckey.

ABSENT - Bickford, Devin, Higgins, Hymanson, Rykerson, Sherman.

Yes, 130; No, 15; Absent, 6; Excused, 0.

130 having voted in the affirmative and 15 voted in the negative, with 6 being absent, and accordingly the Majority **Ought Not to Pass Report was ACCEPTED** and sent for concurrence.

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Majority Report of the Committee on **TRANSPORTATION** reporting **Ought Not to Pass** on Bill "An Act To Increase the Funding Level of the Local Road Assistance Program" (EMERGENCY)

(H.P. 344) (L.D. 505)

Signed:

Senators:

COLLINS of York  
DIAMOND of Cumberland  
ROSEN of Hancock

Representatives:

BRYANT of Windham  
FARRIN of Norridgewock  
HOBART of Bowdoinham  
HOGAN of Old Orchard Beach  
PARRY of Arundel  
POWERS of Naples  
VEROW of Brewer

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-82)** on same Bill.

Signed:

Representatives:

McLEAN of Gorham  
GILLWAY of Searsport  
GOLDEN of Lewiston

#### READ.

On motion of Representative McLEAN of Gorham, the Majority **Ought Not to Pass** Report was **ACCEPTED** and sent for concurrence.

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#### CONSENT CALENDAR First Day

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

(S.P. 141) (L.D. 373) Bill "An Act To Allow a Moose Permit To Be Transferred to a Family Member" Committee on **INLAND FISHERIES AND WILDLIFE** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-42)**

(H.P. 498) (L.D. 745) Bill "An Act To Improve Forest Ranger Safety" Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** reporting **Ought to Pass**

(H.P. 51) (L.D. 57) Bill "An Act To Increase Mileage Reimbursement and Compensation for Jurors" Committee on **JUDICIARY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-90)**

(H.P. 134) (L.D. 176) Bill "An Act To Amend the Law Governing the Gathering of Signatures for Direct Initiatives and People's Veto Referenda" Committee on **VETERANS AND LEGAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-98)**

(H.P. 139) (L.D. 181) Bill "An Act To Create Efficiencies in Court Process" Committee on **JUDICIARY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-91)**

(H.P. 265) (L.D. 399) Bill "An Act To Designate a Youth Bear Hunting Day" Committee on **INLAND FISHERIES AND WILDLIFE** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-99)**

(H.P. 283) (L.D. 416) Bill "An Act To Provide for Direct Appeals under the Maine Juvenile Code to the Supreme Judicial Court" Committee on **JUDICIARY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-92)**

(H.P. 337) (L.D. 498) Bill "An Act To Restore the Super Credit for Substantially Increased Research and Development" Committee on **TAXATION** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-96)**

(H.P. 351) (L.D. 512) Bill "An Act To Implement Certain Recommendations of the Criminal Law Advisory Commission Relative to the Maine Criminal Code" Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-86)**

(H.P. 353) (L.D. 514) Bill "An Act To Amend the Laws Governing the Location of Motor Vehicle Excise Tax Collection for Motor Vehicles Owned by Public Utilities" Committee on **TAXATION** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-94)**

(H.P. 462) (L.D. 681) Bill "An Act To Increase the Effectiveness of the Legislature" Committee on **STATE AND LOCAL GOVERNMENT** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-93)**

(H.P. 573) (L.D. 839) Bill "An Act To Increase Conservation District Funding" Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-88)**

There being no objections, the above items were ordered to appear on the Consent Calendar tomorrow under the listing of Second Day.

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(H.P. 710) (L.D. 1027) Bill "An Act To Create an Elver Exporter's License" Committee on **MARINE RESOURCES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-100)**

On motion of Representative KUMIEGA of Deer Isle, was **REMOVED** from the First Day Consent Calendar.

The Unanimous Committee Report was **READ** and **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (H-100)** 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-100)** and sent for concurrence.

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

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#### CONSENT CALENDAR Second Day

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

(S.P. 145) (L.D. 377) Bill "An Act To Continue the Visual and Digital Media Loan Program and the Visual and Digital Media Loan Fund"

(S.P. 125) (L.D. 310) Bill "An Act To Prevent Organized Retail Crime" (C. "A" S-30)

(S.P. 147) (L.D. 379) Bill "An Act To Create the Sex Offender Management and Risk Assessment Advisory Commission" (C. "A" S-31)

(S.P. 188) (L.D. 520) Bill "An Act To Amend the Requirement for a Certificate of Title for Junk and Scrap Automobiles and Vehicles" (EMERGENCY) (C. "A" S-37)

(S.P. 222) (L.D. 629) Bill "An Act Regarding Community Paramedicine Pilot Projects" (C. "A" S-32)

(S.P. 260) (L.D. 730) Bill "An Act To Make Technical Changes to Maine's Marine Resources Laws" (C. "A" S-41)

(H.P. 324) (L.D. 485) Bill "An Act To Allow Licensed Foresters To Use Mechanics Liens"

(H.P. 636) (L.D. 916) Bill "An Act To Establish a Private Support Organization for the Maine Commission for Community Service"

(H.P. 378) (L.D. 554) Bill "An Act Concerning Commercial Vehicles at Canadian Weight Limits Traveling to Certain Points in the State" (C. "A" H-85)

(H.P. 396) (L.D. 572) Bill "An Act To Ensure Appropriate Health Insurance Coverage for Prescription Eye Drops" (C. "A" H-81)

No objections having been noted at the end of the Second Legislative Day, the Senate Papers were **PASSED TO BE ENGROSSED** or **PASSED TO BE ENGROSSED as Amended** in concurrence and the House Papers were **PASSED TO BE ENGROSSED** or **PASSED TO BE ENGROSSED as Amended** and sent for concurrence.

**BILLS IN THE SECOND READING  
House as Amended**

Bill "An Act Regarding Retrieving Wounded Bear"  
(H.P. 214) (L.D. 320)  
(C. "A" H-76)

Reported by the Committee on **Bills in the Second Reading**, read the second time, the House Paper was **PASSED TO BE ENGROSSED as Amended** and sent for concurrence.

Resolve, To Implement the Recommendations of the Commission To Continue the Study of Long-term Care Facilities (EMERGENCY)

(H.P. 70) (L.D. 87)  
(C. "A" H-77)

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

On motion of Representative McCABE of Skowhegan, was **SET ASIDE**.

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

**ENACTORS  
Emergency Measure**

An Act To Ensure Consistent Certification of Graduation Standards in Publicly Funded Secondary Schools

(H.P. 6) (L.D. 3)  
(C. "A" H-70)

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. 129 voted in favor of the same and 8 against, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

**Emergency Measure**

An Act Amending the Trap Limit for the Swans Island Lobster Conservation Area

(S.P. 35) (L.D. 98)  
(C. "A" S-24)

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. 131 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 Regarding Gaming

(H.P. 355) (L.D. 516)  
(C. "A" H-24)

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. 119 voted in favor of the same and 8 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 Laws Regarding the Maine Organ and Tissue Donation Fund

(S.P. 197) (L.D. 528)

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 Allow School Administrative District No. 27 To Transfer Ownership of the St. Francis Elementary School to the Town of St. Francis

(H.P. 717) (L.D. 1048)

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. 128 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 Require the Department of Health and Human Services To Provide Supplemental Reimbursement to Adult Family Care Homes and Residential Care Facilities in Remote Island Locations

(H.P. 57) (L.D. 63)  
(C. "A" H-49)

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 5 against, and accordingly the Resolve was **FINALLY PASSED**, signed by the Speaker and sent to the Senate.

**Acts**

- An Act To Ensure Proper Funding for Teacher Retirement  
(H.P. 54) (L.D. 60)  
(C. "A" H-14)
- An Act Concerning the Salary of Sheriffs  
(S.P. 30) (L.D. 82)  
(C. "A" S-25)
- An Act To Designate Pure Maine Maple Syrup as the Official State Sweetener  
(H.P. 82) (L.D. 110)  
(C. "A" H-67)
- An Act To Improve Student Retention in Maine's Postsecondary Institutions  
(S.P. 84) (L.D. 215)  
(C. "A" S-21)
- An Act To Allow the Use of a Crossbow for Recreational Target Practice within 100 Yards of a Building without the Owner's Permission  
(H.P. 193) (L.D. 275)  
(C. "A" H-61)
- An Act To Improve Attendance at Public Elementary Schools  
(S.P. 126) (L.D. 311)  
(C. "A" S-22)
- An Act To Authorize a Temporary Medical Transfer of an Elver Individual Fishing Quota  
(H.P. 240) (L.D. 353)  
(C. "A" H-63)
- An Act To Enforce Restrictions in Parking Spaces and Access Aisles Designated for Persons with a Walking Disability  
(H.P. 256) (L.D. 390)  
(C. "A" H-73)
- An Act To Amend the Law Regarding Filing Fees for Proposed Transmission Line Projects  
(H.P. 287) (L.D. 420)  
(C. "A" H-71)
- An Act To Amend the Powers and Duties of the State Board of Education  
(S.P. 157) (L.D. 428)
- An Act To Repeal Outdated Statutory Sections Relating to Regional Ride Share Programs  
(S.P. 176) (L.D. 447)
- An Act To Protect the Environment from Fireworks Debris  
(H.P. 298) (L.D. 459)
- An Act To Clarify Rulemaking for Transportation of Public School Students  
(H.P. 301) (L.D. 462)  
(C. "A" H-62)
- An Act To Amend the Maine Economic Development Venture Capital Revolving Investment Program  
(S.P. 202) (L.D. 586)  
(C. "A" S-26)
- An Act To Amend the Authorized Hours during Which Liquor May Be Sold and Purchased  
(H.P. 465) (L.D. 684)  
(C. "A" H-60)
- An Act To Amend the Laws Related to the Bolduc Correctional Facility  
(S.P. 246) (L.D. 688)  
(C. "A" S-23)
- An Act Relating to Insurance Licensing  
(H.P. 481) (L.D. 705)

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.

**Resolves**

- Resolve, To Study the Impact of Winter Ticks on the State's Moose Population  
(H.P. 92) (L.D. 134)
- Resolve, Directing the Maine Arts Commission, the Maine Historic Preservation Commission and the Maine State Museum Commission To Study the Replacement of Statues in the National Statuary Hall Collection  
(S.P. 99) (L.D. 261)  
(C. "A" S-34)
- Reported by the Committee on **Engrossed Bills** as truly and strictly engrossed, **FINALLY PASSED**, signed by the Speaker and sent to the Senate.

An Act To Protect Maine Lakes

(H.P. 392) (L.D. 568)  
(C. "A" H-66)

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

On motion of Representative CHIPMAN of Portland, was **SET ASIDE**.

The same Representative **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.

**ROLL CALL NO. 42**

YEA - Alley, Austin, Babbidge, Bates, Battle, Beavers, Beck, Beebe-Center, Black, Blume, Brooks, Bryant, Buckland, Burstein, Campbell J, Campbell R, Chace, Chapman, Chenette, Chipman, Cooper, Corey, Crafts, Daughtry, Davitt, DeChant, Dillingham, Dion, Doore, Duchesne, Dunphy L, Dunphy M, Edgcomb, Espling, Evangelos, Farnsworth, Farrin, Fecteau, Foley, Fowle, Fredette, Frey, Gattine, Gerrish, Gideon, Gilbert, Gillway, Ginzler, Golden, Goode, Grant, Greenwood, Grohman, Guerin, Hamann, Hanington, Hanley, Harlow, Hawke, Head, Herbig, Herrick, Hickman, Higgins, Hilliard, Hobart, Hobbins, Hogan, Hubbell, Jorgensen, Kinney J, Kinney M, Kornfield, Kruger, Kumiega, Lajoie, Lockman, Longstaff, Luchini, Lyford, Maker, Malaby, Marean, Martin J, Martin R, Mastraccio, McCabe, McClellan, McCreight, McElwee, McLean, Melaragno, Monaghan, Moonen, Morrison, Nadeau, Noon, Nutting, O'Connor, Parry, Peterson, Picchiotti, Pickett, Pierce J, Pierce T, Pouliot, Powers, Prescott, Reed, Rotundo, Russell, Sanborn, Sanderson, Saucier, Sawicki, Schneck, Seavey, Shaw, Short, Sirocki, Skolfield, Stanley, Stearns, Stetkis, Stuckey, Sukeforth, Tepler, Theriault, Timberlake, Timmons, Tipping-Spitz, Tucker, Tuell, Turner, Vachon, Verow, Wadsworth, Wallace, Ward, Warren, Welsh, White, Winsor, Wood, Mr. Speaker.

NAY - Long.

ABSENT - Bickford, Devin, Hymanson, Rykerson, Sherman.

Yes, 145; No, 1; Absent, 5; Excused, 0.

145 having voted in the affirmative and 1 voted in the negative, with 5 being absent, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

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

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

**UNFINISHED BUSINESS**

The following matters, in the consideration of which the House was engaged at the time of adjournment Thursday, April 23, 2015, had preference in the Orders of the Day and continued with such preference until disposed of as provided by House Rule 502.

Expression of Legislative Sentiment Recognizing the University of Maine at Machias

(HLS 144)

TABLED - March 25, 2015 (Till Later Today) by Representative TUELL of East Machias.

PENDING - **PASSAGE**.

Subsequently, the Sentiment was **PASSED** and sent for concurrence.

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HOUSE REPORT - **Ought to Pass** - Committee on **INLAND FISHERIES AND WILDLIFE** on Bill "An Act To Authorize the Commissioner of Inland Fisheries and Wildlife To Postpone or Cancel an Open Hunting Season"

(H.P. 394) (L.D. 570)

TABLED - April 14, 2015 (Till Later Today) by Representative McCABE of Skowhegan.

PENDING - **ACCEPTANCE OF COMMITTEE REPORT**.

Subsequently, the Unanimous Committee 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**.

Representative SHAW of Standish **PRESENTED House Amendment "A" (H-89)**, 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-89)** and sent for concurrence.

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HOUSE DIVIDED REPORT - Majority (7) **Ought Not to Pass** - Minority (6) **Ought to Pass** - Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** on Bill "An Act To Allow Certain Businesses To Be Open on Easter Day, Thanksgiving Day and Christmas Day"

(H.P. 426) (L.D. 613)

TABLED - April 23, 2015 (Till Later Today) by Representative FREDETTE of Newport.

PENDING - Motion of Representative HERBIG of Belfast to **ACCEPT** the Majority **OUGHT NOT TO PASS** Report. (Roll Call Ordered)

The **SPEAKER**: A roll call having been previously 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. 43**

YEA - Alley, Babbidge, Bates, Battle, Beavers, Beck, Beebe-Center, Black, Blume, Brooks, Bryant, Burstein, Campbell R, Chapman, Chenette, Chipman, Cooper, Crafts, Daughtry, Davitt,

DeChant, Dillingham, Dion, Doore, Duchesne, Dunphy M, Edgcomb, Espling, Evangelos, Farnsworth, Farrin, Fecteau, Fowle, Fredette, Frey, Gattine, Gerrish, Gideon, Gilbert, Ginzler, Golden, Goode, Grant, Guerin, Hamann, Hanley, Harlow, Hawke, Head, Herbig, Herrick, Hickman, Higgins, Hobbins, Hogan, Hubbell, Jorgensen, Kinney M, Kornfield, Kruger, Kumiega, Lajoie, Long, Longstaff, Luchini, Maker, Marean, Martin J, Martin R, Mastraccio, McCabe, McCreight, McElwee, McLean, Melaragno, Monaghan, Moonen, Morrison, Nadeau, Noon, Nutting, O'Connor, Parry, Peterson, Pickett, Pierce J, Pierce T, Pouliot, Powers, Reed, Rotundo, Russell, Sanborn, Saucier, Sawicki, Schneck, Seavey, Shaw, Short, Stanley, Stuckey, Tepler, Timberlake, Timmons, Tipping-Spitz, Tucker, Tuell, Vachon, Verow, Warren, Welsh, White, Winsor, Mr. Speaker.

NAY - Austin, Buckland, Campbell J, Chace, Corey, Dunphy L, Foley, Gillway, Greenwood, Grohman, Hanington, Hilliard, Hobart, Kinney J, Lockman, Lyford, Malaby, McClellan, Picchiotti, Prescott, Sanderson, Sirocki, Skolfield, Stearns, Stetkis, Sukeforth, Theriault, Turner, Wadsworth, Wallace, Ward, Wood.

ABSENT - Bickford, Devin, Hymanson, Rykerson, Sherman.

Yes, 114; No, 32; Absent, 5; Excused, 0.

114 having voted in the affirmative and 32 voted in the negative, with 5 being absent, and accordingly the Majority **OUGHT NOT TO PASS** Report was **ACCEPTED** and sent for concurrence.

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Bill "An Act To Increase Access to Postsecondary Education for Maine National Guard Members"

(H.P. 912) (L.D. 1343)

(Committee on **EDUCATION AND CULTURAL AFFAIRS** suggested)

TABLED - April 16, 2015 (Till Later Today) by Representative ESPLING of New Gloucester.

PENDING - **REFERENCE**.

Subsequently, the Bill was **REFERRED** to the Committee on **VETERANS AND LEGAL AFFAIRS**, ordered printed and sent for concurrence.

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**SENATE PAPERS**

Bill "An Act To Improve the Quality of Teachers"

(S.P. 502) (L.D. 1370)

Came from the Senate, **REFERRED** to the Committee on **EDUCATION AND CULTURAL AFFAIRS** and ordered printed.

**REFERRED** to the Committee on **EDUCATION AND CULTURAL AFFAIRS** in concurrence.

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Bill "An Act To Increase Accountability in Maine's Welfare Programs"

(S.P. 505) (L.D. 1375)

Came from the Senate, **REFERRED** to the Committee on **HEALTH AND HUMAN SERVICES** and ordered printed.

**REFERRED** to the Committee on **HEALTH AND HUMAN SERVICES** in concurrence.

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Bill "An Act To Restructure the Permitting Process for Wildlife and Exotic Species in Captivity"

(S.P. 501) (L.D. 1369)

Came from the Senate, **REFERRED** to the Committee on **INLAND FISHERIES AND WILDLIFE** and ordered printed.

**REFERRED** to the Committee on **INLAND FISHERIES AND WILDLIFE** in concurrence.

Bill "An Act To Encourage Greater Efficiency in the Unemployment Insurance System"

(S.P. 503) (L.D. 1371)

Came from the Senate, **REFERRED** to the Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** and ordered printed.

**REFERRED** to the Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** in concurrence.

Bill "An Act To Expand the Educational Opportunity Tax Credit"

(S.P. 504) (L.D. 1374)

Came from the Senate, **REFERRED** to the Committee on **TAXATION** and ordered printed.

**REFERRED** to the Committee on **TAXATION** in concurrence.

**REPORTS OF COMMITTEE**

**Divided Reports**

Majority Report of the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** reporting **Ought to Pass** on Bill "An Act To Control Fireworks in Monhegan Island Plantation"

(H.P. 218) (L.D. 324)

Signed:

Senators:

- ROSEN of Hancock
- GERZOFISKY of Cumberland

Representatives:

- FOWLE of Vassalboro
- DAVITT of Hampden
- LAJOIE of Lewiston
- NADEAU of Winslow
- THERIAULT of China
- TIMMONS of Cumberland
- WARREN of Hallowell

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

Signed:

Senator:

- BURNS of Washington

Representatives:

- CHENETTE of Saco
- GERRISH of Lebanon
- LONG of Sherman

**READ.**

On motion of Representative FOWLE of Vassalboro, the Majority **Ought to Pass** Report was **ACCEPTED**.

The Bill was **READ ONCE** and was assigned for **SECOND READING** Wednesday, April 29, 2015.

Majority Report of the Committee on **ENVIRONMENT AND NATURAL RESOURCES** reporting **Ought Not to Pass** on Bill "An Act Regarding the Packaging and Labeling of Disposable Cleaning and Personal Hygiene Products"

(H.P. 263) (L.D. 397)

Signed:

Senators:

- SAVIELLO of Franklin
- BRAKEY of Androscoggin
- BREEN of Cumberland

Representatives:

- WELSH of Rockport
- BUCKLAND of Farmington
- CAMPBELL of Orrington
- DUCHESNE of Hudson
- HANLEY of Pittston
- MARTIN of Eagle Lake
- TUCKER of Brunswick
- WHITE of Washburn

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

Signed:

Representatives:

- CHIPMAN of Portland
- HARLOW of Portland

**READ.**

On motion of Representative WELSH of Rockport, the Majority **Ought Not to Pass** Report was **ACCEPTED** and sent for concurrence.

Majority Report of the Committee on **INSURANCE AND FINANCIAL SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-101)** on Bill "An Act To Protect the Privacy of Consumers Who Use Credit Cards for Online Purchases of Products"

(H.P. 102) (L.D. 144)

Signed:

Senators:

- WHITEMORE of Somerset
- BAKER of Sagadahoc
- GRATWICK of Penobscot

Representatives:

- BECK of Waterville
- BROOKS of Lewiston
- COOPER of Yarmouth
- MELARAGNO of Auburn
- MORRISON of South Portland
- PICCHIOTTI of Fairfield
- TUCKER of Brunswick
- WALLACE of Dexter

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

Signed:

Representatives:

- FOLEY of Wells
- PRESCOTT of Waterboro

**READ.**

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

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

Representative **RUSSELL**: Thank you, Mr. Speaker. Mr. Speaker, Men and Women of the House, I just wanted to rise real

quick to explain what this bill does. As we have seen with the DNS attack on the Maine.gov website, and other opportunities for hackers to come after folks' security, I just wanted folks, as with Anthem for example.

This bill would set up a study commission essentially to look at our laws around online data security, personal privacy, etc. to see if they are adequate enough in the 21st century to make sure that we don't need to make any tweaks, or any revisions to those laws. So, this is just setting up a study commission to look at that to make sure that we can protect consumer and ourselves from data security hacks, and also online privacy issues. So, that's all this bill does and I hope that it'll go under the hammer.

Subsequently, the Majority **Ought to Pass as Amended** Report was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (H-101)** was **READ** by the Clerk and **ADOPTED**. The Bill was assigned for **SECOND READING** Wednesday, April 29, 2015.

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

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On motion of Representative CHAPMAN of Brooksville, the House adjourned at 11:58 a.m., until 10:00 a.m., Wednesday, April 29, 2015, in honor and lasting tribute to Betty McKay, of Blue Hill and Penobscot.