

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 MAINE
LEGISLATURE
FIRST REGULAR SESSION
45th Legislative Day
Wednesday, May 20, 2015

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

Prayer by Reverend Andrew Stinson, Second Congregational Church, Warren.

National Anthem by Gary Crocker, West Gardiner.

Pledge of Allegiance.

Doctor of the day, Richard Flowerdew, M.D., Falmouth.

The Journal of yesterday was read and approved.

SENATE PAPERS

The following Joint Order: (S.P. 533)

ORDERED, the House concurring, that, notwithstanding Joint Rule 353, the Maine Health Exchange Advisory Committee, referred to in this order as "the advisory committee," is established to advise the Legislature regarding the interests of individuals and employers with respect to any health benefit exchange, referred to in this order as "the exchange," that may be created for this State pursuant to the federal Patient Protection and Affordable Care Act.

1. Appointments; composition. The advisory committee consists of 19 members appointed as follows:

A. The following 5 members of the Legislature, of whom 3 members must serve on the Joint Standing Committee on Insurance and Financial Services and 2 members must serve on the Joint Standing Committee on Health and Human Services or the Joint Standing Committee on Appropriations and Financial Affairs:

(1) Two members of the Senate, appointed by the President of the Senate, including one member recommended by the Senate Minority Leader; and

(2) Three members of the House of Representatives, appointed by the Speaker of the House of Representatives, including one member recommended by the House Minority Leader;

B. Two persons representing health insurance carriers, one of whom is appointed by the President of the Senate and one of whom is appointed by the Speaker of the House of Representatives;

C. One person representing dental insurance carriers, appointed by the Speaker of the House of Representatives;

D. One person representing insurance producers, appointed by the President of the Senate;

E. One person representing Medicaid recipients, appointed by the Speaker of the House of Representatives;

F. Two persons representing health care providers and health care facilities, including one member representing federally qualified health centers, appointed by the Speaker of the House of Representatives;

G. One person who is an advocate for enrolling hard-to-reach populations, including individuals with mental health or substance abuse disorders, appointed by the President of the Senate;

H. One member representing a federally recognized Indian tribe, appointed by the President of the Senate;

I. One member who has expertise in tax matters, appointed by the President of the Senate; and

J. Four members representing individuals and small businesses, including:

(1) One person, appointed by the President of the Senate, who has purchased or can reasonably be expected to purchase individual coverage through an exchange with the assistance of a premium tax credit and who can reasonably be expected to represent the interests of consumers purchasing individual coverage through the exchange;

(2) One person, appointed by the Speaker of the House of Representatives, representing an employer that has purchased or can reasonably be expected to purchase group coverage through an exchange and who can reasonably be expected to represent the interests of such employers;

(3) One person, appointed by the President of the Senate, representing navigators or entities likely to be licensed as navigators; and

(4) One person, appointed by the Speaker of the House of Representatives, employed by an employer that has purchased or can reasonably be expected to purchase group coverage through an exchange and who can reasonably be expected to represent the interests of such employees.

The President of the Senate and the Speaker of the House of Representatives shall invite the Superintendent of Insurance, or the superintendent's designee, and the Commissioner of Health and Human Services, or the commissioner's designee, to participate as ex officio nonvoting members.

2. Chairs. The first-named Senator is the Senate chair of the advisory committee and the first-named member of the House of Representatives is the House chair of the advisory committee.

3. Appointments; convening. All appointments must be made no later than 30 days following passage of this order. The appointing authorities shall notify the Executive Director of the Legislative Council once all appointments have been made. When the appointment of all members has been completed, the chairs of the advisory committee shall call and convene the first meeting of the advisory committee. If 30 days or more after the passage of this order a majority of but not all appointments have been made, the chairs may request authority and the Legislative Council may grant authority for the advisory committee to meet and conduct its business.

4. Duties. The advisory committee shall:

A. Advise the Legislature regarding the interests of individuals and employers with respect to any exchange that may be created for this State;

B. Serve as a liaison between any exchange and individuals and small businesses enrolled in the exchange;

C. Evaluate the implementation and operation of any exchange with respect to the following:

(1) Whether the State should transition from a federally facilitated exchange model to a state-based exchange or partnership model;

(2) The essential health benefits benchmark plan designated in this State under the federal Patient Protection and Affordable Care Act, including whether the State should change its designation;

(3) The impact of federal and state laws and regulations governing the health insurance rating for tobacco use on accessibility and affordability of health insurance;

(4) The consumer outreach and enrollment conducted by the exchange and whether the navigator program is effective and whether navigators or other persons providing assistance to consumers are in compliance with any federal or state certification and training requirements;

(5) The coordination between the state Medicaid program and the exchange;

(6) Whether health insurance coverage through the exchange is affordable for individuals and small businesses, including whether individual subsidies are adequate;

(7) Whether the exchange is effective in providing access to health insurance coverage for small businesses;

(8) The implementation of rebates under the federal Patient Protection and Affordable Care Act and the Maine Revised Statutes, Title 24-A, section 4319;

(9) The coordination of plan management activities between the Department of Professional and Financial Regulation, Bureau of Insurance and the exchange, including the certification of qualified health plans and rate review;

(10) The potential for establishing a basic health program or seeking a Medicaid state plan amendment or state innovation waiver to provide alternative health coverage programs for individuals;

(11) Whether changes should be considered in federal law or regulations to address dental health coverage available through the marketplace, including, but not limited to, premiums and out-of-pocket costs;

(12) Whether the State should consider changes to its designated rating areas for geographic area to the extent permitted by federal law and regulations;

(13) The impact of so-called churn on the effective operation of the marketplace, public health programs and the private health insurance market;

(14) The impact of federal requirements to provide employer-sponsored health coverage;

(15) The impact of any change in the definition of "small group" for health insurance purposes;

(16) The impact of federal transitional risk adjustment programs and whether the State should consider ending the suspension of the Maine Guaranteed Access Reinsurance Association under Title 24-A, section 3953;

(17) The impact of health insurance policies continued in the State under the transitional relief granted by the federal Department of Health and Human Services; and

(18) Any issue relating to the implementation of the federal Patient Protection and Affordable Care Act agreed upon by a majority of the advisory committee; and

D. Based on the evaluations conducted by the advisory committee pursuant to this order, make recommendations for any changes in policy or law that would improve the operation of an exchange for consumers and small businesses in the State.

5. Compensation. The legislative members of the advisory committee are entitled to receive the legislative per diem, as defined in the Maine Revised Statutes, Title 3, section 2, and reimbursement for travel and other necessary expenses related to their attendance at authorized meetings of the advisory committee. Public members not otherwise compensated by their employers or other entities that they represent are entitled to receive reimbursement of necessary expenses and, upon a demonstration of financial hardship, a per diem equal to the legislative per diem for their attendance at authorized meetings of the advisory committee.

6. Quorum. A quorum is a majority of the members of the advisory committee.

7. Meetings. The advisory committee shall meet at least 4 times a year at regular intervals and may meet at other times at the call of the chairs. Meetings of the advisory committee are public proceedings as provided by the Maine Revised Statutes, Title 1, chapter 13, subchapter 1.

8. Records. Except for information designated as confidential under federal or state law, information obtained by the advisory committee is a public record as provided by the Maine Revised Statutes, Title 1, chapter 13, subchapter 1.

9. Staffing. The Legislative Council shall provide staff support for the operation of the advisory committee, except that the Legislative Council staff support is not authorized when the Legislature is in regular or special session or for more than 4 meetings annually between regular or special sessions of the Legislature. In addition, the advisory committee may contract for administrative, professional and clerical services if funding permits.

10. Funding for advisory committee activities. The Legislative Council on behalf of the advisory committee may apply for and receive funds, grants or contracts from public and private sources to support its activities. Contributions to support the work of the advisory committee may not be accepted from any party having a pecuniary or other vested interest in the outcome of the matters being studied. Any person, other than a state agency, desiring to make a financial or in-kind contribution shall certify to the Legislative Council that it has no pecuniary or other vested interest in the outcome of the advisory committee's activities. Such a certification must be made in the manner prescribed by the Legislative Council. All contributions are subject to approval by the Legislative Council. All funds accepted must be forwarded to the Executive Director of the Legislative Council along with an accounting record that includes the amount of funds, the date the funds were received, from whom the funds were received and the purpose of and any limitation on the use of those funds. The Executive Director of the Legislative Council shall administer any funds received by the advisory committee.

11. Reports. The advisory committee shall submit to the Joint Standing Committee on Insurance and Financial Services a preliminary report on its activities no later than December 4, 2015. The advisory committee shall submit to the Joint Standing Committee on Insurance and Financial Services a final report on its activities no later than November 5, 2016.

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

On motion of Representative McCABE of Skowhegan, the Joint Order was placed on the Special Study Table pursuant to Joint Rule 353 pending **PASSAGE**.

The following Joint Order: (S.P. 534)

ORDERED, the House concurring, that Bill, "An Act To Exempt a Fee for a Paper or Plastic Single-use Carry-out Bag from Tax," S.P. 206, L.D. 590, and all its accompanying papers, be recalled from the Governor's desk to the Senate.

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

Non-Concurrent Matter

Bill "An Act To Allow a Victim of a Crime To Be Represented by an Attorney at a Sentencing Hearing"

(H.P. 960) (L.D. 1413)

REFERRED to the Committee on **JUDICIARY** in the House on May 14, 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.

Non-Concurrent Matter

Joint Order, To Recall LD 824 from the Governor's Desk to the House

(H.P. 963)

READ and **PASSED** in the House on May 14, 2015.

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

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

Non-Concurrent Matter

Resolve, To Study the Feasibility and Cost of Providing Passenger Rail Service to the City of Bangor

(H.P. 806) (L.D. 1174)

Minority (1) **OUGHT TO PASS AS AMENDED** Report of the Committee on **TRANSPORTATION** **READ** and **ACCEPTED** and the Resolve **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-134)** in the House on May 14, 2015.

Came from the Senate with the Majority (12) **OUGHT NOT TO PASS** Report of the Committee on **TRANSPORTATION** **READ** and **ACCEPTED** in **NON-CONCURRENCE**.

The House voted to **INSIST**.

Non-Concurrent Matter

Bill "An Act Regarding the Treatment of Forensic Patients"

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

REFERRED to the Committee on **HEALTH AND HUMAN SERVICES** in the House on May 6, 2015.

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

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

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)

House **INSISTED** on its former action whereby the Majority (7) **OUGHT NOT TO PASS** Report of the Committee on **TRANSPORTATION** was **READ** and **ACCEPTED** in the House on May 7, 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 "B" (S-87)** thereto in **NON-CONCURRENCE**.

Representative McLEAN of Gorham moved that the House **RECEDE AND CONCUR**.

Representative FREDETTE of Newport **REQUESTED** a roll call on the motion to **RECEDE AND CONCUR**.

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 Sanford, Representative Mastraccio.

Representative **MASTRACCIO**: Thank you, Mr. Speaker, Men and Women of the House, this amendment on this bill, it reduces the fine for the use of a mobile device while driving from \$250, which was in the original bill, to \$75 for the first offense, and \$150 for the second offense.

This amendment is an attempt to address the objections that some members had to the original bill and it serves, I think, as a traffic offense, it serves to remind people of the dangers of driving while using a handheld device. And, I hope it will encourage those of you who if those were your objections to now support the bill in its current form.

The **SPEAKER**: The Chair recognizes the Representative from Oakland, Representative Nutting.

Representative **NUTTING**: Thank you, Mr. Speaker. Mr. Speaker, Men and Women of the House, I rise for probably the third time on this issue, the first time this session. This is an issue that we've dealt with at least twice before that I recall, the last year when I was on the Transportation Committee.

Every morning I have a short ride in; it takes me 20 to 30 minutes to get here every morning. I see a number of people talking on their cell phones, they seem to be driving just fine. We've all got behind drivers who were swerving and not paying attention, and speeding up and slowing down, and we thought probably they were on a cell phone, and sometimes they are. But, frequently, they're not, they're doing something entirely different. And we've all heard the list of other things that people do in their car.

A couple years ago, I spent a day with a Maine State Trooper riding around, observing what they do for work. And we went up and down the interstate from Augusta to Newport, saw all kinds

of driving infractions. That day, we had a thunderstorm on our way through Augusta, and it was "raining cats and dogs" as they would say. And there was a car pulled over to the side of the road and the state trooper put on his blue lights, pulled over behind the car, and got out, put on his hat, his rain gear, got out of the car, went up and asked them what they were doing, and they had pulled over to make a phone call.

State troopers don't pass people on the interstate who are pulled over, whether they're making a phone call, or they're injured, or they had an accident or something. They are mandated to pull over and check. When he got back in the car, he told me that one of the most dangerous things you could do on the interstate was not talk on the cellphone, was pull over on the side of the road. Very dangerous. It is inherently dangerous to be parked on the side of the interstate. He made that point quite clear to me.

One of the things I can't do on my short drive in every morning is listen to books on tape. And I know many of you may do that. But I tried to do that and I just can't. I'm not holding the tape in my hand, it's in my dashboard, and I'm listening to it, and I'm concentrating enough on my driving so that at some point I realized, "Oh, I just missed the last five minutes of the tape," so I have to rewind it. I did that a number of times and finally gave up, so I don't listen to books on tape anymore. You truly can't do two things at the same time and do both of them well.

But, the bill that we have today doesn't deal with listening to something, or doesn't deal with the conversation. If it did, this bill would be to make conversation in your vehicle illegal. Instead, what it does, is it prevents you from holding that device to your ear as you drive. I maintain that that's not the safety issue at all. I think this bill is directed at the wrong issue. We already have a law which precludes people from driving dangerously and swerving. We already have that law. If in fact people are doing that. We should pull them over when we see it. We shouldn't pull them over, probably not a good idea, unless you have the blue lights. But I think this bill is headed in the wrong direction, and for all those reasons, I urge you to oppose the pending motion. Thank you, Mr. Speaker.

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

Representative **TIMBERLAKE**: Mr. Speaker, Ladies and Gentlemen of the House, you remember a couple weeks ago when we had this bill before us, I testified that the most distracted driving I ever had was with my girlfriend sitting beside me. Well, now she's my wife, and I went out and bought a bunch of lipstick last week, and I took the bill and I painted it all over it, and unlike my wife, who doesn't need any lipstick because she looks beautiful the way she is, I put the lipstick all over this bill and it didn't get a bit better. So, I encourage you today to vote against this.

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

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

The SPEAKER: The Representative may pose his question.

Representative **CHIPMAN**: I'm wondering that if this bill passes as amended, is it still the case that if somebody uses a GPS and it doesn't cause their driving to be distracted, that would not be a crime, but if they use the GPS on their cell phone, if they're not distracted, it would be a crime just because of the device they're using under this amended version?

The SPEAKER: The Representative from Portland, Representative Chipman, has posed a question through the Chair to anyone who may care to respond. The Chair recognizes the Representative from Gorham, Representative McLean.

Representative **McLEAN**: I would answer that question in the affirmative. It would make it illegal to hold any sort of handheld electronic device while operating a vehicle.

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

Representative **CAMPBELL**: Thank you, Mr. Speaker, I'll speak briefly on this. Many times I've been coming in to the capital in the morning and the traffic and people change lanes right in front of you with one hand while they're on the phone on the other, and when you blew the horn at them you got that finger salute. Thank you.

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

Representative **PARRY**: Thank you, Mr. Speaker. We originally heard this bill a few weeks ago and I guess there's been an amendment put on it. But, when we, and maybe this is a question through the Chair. On our original Insist motion the last time around, this bill is no different today than it was then. So, I guess I'm confused on the change in the motion.

But, like I said before, this is just going to make it easier for the police to pull you over, and the police to pull people in Maine, our constituents, over for doing absolutely nothing wrong other than holding their cell phone. If they're driving perfectly down the road, not weaving, not doing anything dangerous on the road, they can be pulled over with this new law. And I realize that the fines have been lowered slightly, but I think it's still too punitive.

If somebody is distractive driving today, the police officers can pull them over and write them a ticket for distractive driving. I just have a real problem writing a ticket to somebody that's driving perfectly down the highway. Thank you, Mr. Speaker.

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

Representative **RUSSELL**: Thank you, Mr. Speaker, Men and Women of the House, I appreciate the question from the good Representative from Portland because that was one of the concerns that I had around GPS. I appreciate that my other concern around the fines was addressed and made better; I think that's a good step in the right direction.

But, you know, I was just driving, I drove to D.C. and back by myself. I drove to Cambridge for a conference last weekend, and let me tell you, when you're driving down it's a lot safer to have access to GPS. Especially since that GPS, some of it, will give you directions right through the radio. But it doesn't mean that you don't actually have to program that in, and it doesn't mean that there aren't changes that you have to make while on the road.

So, there are ways to make the GPS easier, but I have to say, I was a significantly better driver with the GPS system available, and I think that I was significantly less distracted using the GPS than I otherwise would have been trying to use the old faithful Rand McNally.

And everybody that knows about driving through Boston knows that it's cow paths, and we love Boston, how can you not love Boston, but you don't love driving in Boston. And, driving in Boston was still rather difficult with a GPS because roads disappear and there are not a good set of signs. They could really work on their signage. But, the reality is that it's a lot easier to drive through those cities if you actually have access to GPS. And, I know a lot of folks that come to Portland and think Portland is really complicated—it's not. But, I can understand if you're coming to the big city that it might be.

I think people are far better drivers when they have access to a GPS system than when they're looking down at the map, when they're talking to their person. My grandmother and grandfather spent most of their bickering, bickering over who read the map

right and wrong, and I think if they'd had GPS they probably would've been safer drivers. My grandfather would've not been looking at my grandmother arguing about whether she was right about the next turn or not. So, on that account, I'm going to have to vote against the pending motion.

The SPEAKER: The Chair recognizes the Representative from Dixfield, Representative Pickett.

Representative **PICKETT**: Thank you, Mr. Speaker, Ladies and Gentlemen of the House, I spoke on this when it come before the floor a few weeks ago as well, I spoke against it. I am glad that the fines were reduced and so on, but it doesn't change anything for me, as a former law enforcement officer for almost 40 years.

You cannot, and I will repeat as I said before, you cannot legislate common sense. If someone is taking a cell phone and they're dialing a phone while they're driving, that's wrong. But if someone is talking on a cell phone, and they're not doing anything other than holding it to their ear, that is no more distracting than if you're holding a cup of coffee and taking a drink of it, than if you're grabbing a breakfast sandwich that on your way into the State House you had to get to try to get something to eat and you take a bite of that sandwich.

We can't legislate common sense. We have a law that's on the books right now for distracted driving. The law enforcement community, if we need to do something, has to do a better job at enforcing that law. But this bill is not needed and I would urge you to vote no on it.

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

Representative **MASTRACCIO**: Thank you, Mr. Speaker, and I apologize for rising again. I wasn't going to. I didn't think we were going to have a big debate about this, but I just need to correct at least one misconception about this bill.

You can still use your GPS. They have a lot of little devices that your phone, which I'm assuming that's the GPS that the representative from Portland is discussing, and you take your phone and you put it on this little device and it sits right in front of you and you can actually hear it, look at it, see it, without it having it in your hand. So, I think GPS is wonderful, I use GPS in my car all the time.

All I'm suggesting is that this is an attempt to make people think about what they're doing when they're supposed to be driving. I know it's not a cure-all. Putting seatbelts on and trying to make people wear their seatbelts wasn't a cure-all, but let's just be realistic that when the person has the phone to their ear and they're driving down Main Street and they come to a crosswalk. If they're on the phone, I can tell you that they haven't seen me when I'm standing in the crosswalk, and that bothers me.

So, this isn't, you know, I don't know what's going to happen with this bill but I think it'll come sometime. Just asking you, we're attempted to make this palatable to more people. So, thank you for your attention.

The SPEAKER: The Chair recognizes the Representative from South Portland, Representative Battle.

Representative **BATTLE**: Thank you, Mr. Speaker. Mr. Speaker, Men and Women of the House, I was a police officer for 27 years in South Portland. I've gone over in my mind back and forth this idea that cell phone use, and I've been to a lot of calls and a lot of incidents, and accidents over the years, and seen some pretty interesting, and that's very well-censored, sights.

I'm going to ask you to vote against this, please. And the reason being, let the officers do their job. We have, already on the books, a law for distracted driving. In order for a police officer to make a stop, he doesn't need probable cause. He needs an

articulable suspicion that something is wrong or being done wrong—somebody is weaving or somebody is not following the laws.

An officer worth his salt can articulate and can explain why he stopped somebody. Then, from there, he can develop probable cause if there is something to deal with. But, like I've said, I've tossed this over in my mind and I'm going to vote against this, and I ask you to do the same. 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, I'll be very brief. Just a couple points that I would make very quickly. One is, is by passing this bill, it would impose, essentially, a fee on poor people who would then, if they want to talk on their phone while they're driving, would have to buy a handheld frees, handheld device. And so, it would impose a fee upon them.

And I also think, coming from rural Maine, where you have to drive, often times an hour, an hour and a half, just to get from Point A to Point B. That's a large part of your day. It might be an hour and a half one way, and an hour and a half back. And if you can't use your cell phone, I think that's a pretty big deal. And so, I think, for rural Maine, this would impose a more significant impact on them than urban Maine.

And then, lastly, I think for particularly for young people, the young people want to text. And if they're driving and they can't be on the cell phone calling, my guess is, they're going to sit there and they're going to text. So, I think by defeating this bill, we actually will be helping young people not to want to be in a position where they say, "I can't be on the phone, so I'm going to text while I'm driving." Thank you.

The SPEAKER: The Chair recognizes the Representative from Paris, Representative Herrick.

Representative **HERRICK**: Thank you, Mr. Speaker, Ladies and Gentlemen of the House, I wanted to echo my former retired law enforcement people in the House here today. I, myself, struggled with this, whether or not it was a safety issue versus just the fact of being able to use your phone in the society that we have today, how we have to have that and to be able to use it.

My biggest concern, one of the concerns I have is the enforcement part of it. I envision if this law passed, that we would have people pulling over to the side of the road that don't have the wireless connection, and that the safety of law enforcement, the safety of state troopers out there coming up behind cars that are pulled over on the interstate doing, and cars going by them as we well know, 70, 75 miles an hour.

So, I have to join, for various reasons, and this is one of them, to vote against this. We're all very, very cognizant of safety factor and we have to be mindful of when we use this device. We have to be careful with it and concentrate on what we're doing. So, again, I hope you will defeat this and move forward.

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

Representative **COOPER**: Thank you, Mr. Speaker, and Ladies and Gentlemen of the House, there's one factor that hasn't been mentioned that I think really should control our decision here, and that is the evidence that is totally consistent, that the use of cell phones diminishes the concentration of the driver in much greater degree than other activities that a person normally does while in the car, such as changing the station or talking to passenger.

Tests have been done, controlled studies have been done, that show that people make more mistakes. They are concentrating on the noise that's coming through their ear from that telephone and not on what's on the road. Thank you.

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

Representative **GRANT**: Thank you, Mr. Speaker, Ladies and Gentlemen of the House, when I was 16 and got my license to drive, there were no cell phones. I'm aging myself there. But, my father was a police officer, and before he allowed me to take the car out for the first time by myself, he sat me down in that car and he said, "When you're driving this car, you have 2,000 pounds of machinery in your control that could end the life of someone else or yourself. And I want you to keep that responsibility in mind every time you get behind the wheel."

He then said to me that the hardest calls he ever had to make as a police officer were responding to a fatal car accident, particularly when it was a young person, because he always saw one of his five children in the face of what was left of that person. And so I ask you today to think about the fact that we do, in fact, legislate common sense in this building. We have required people to wear seatbelts. We require people to do a lot of things in relation to driving that are responsible because they're life-saving laws.

I, myself, when I first got my cell phone, started to use it while I was driving. And it was my daughter who taught me how to use those little earbud things that come free with your telephone, with your cell phone. You just have to put those little earbuds in and plug it into your phone and you can actually still use it hands-free, even if you don't have a lot of money for a car that has hands-free. So, I would just ask you to think about this very carefully, because when you read the paper the next time and see a young person, particularly, has lost their life while driving, or someone else driving, with a cell phone, I, for one, don't want to be thinking about a vote I should've taken differently.

The SPEAKER: The Chair recognizes the Representative from Lincolnville, Representative Burstein.

Representative **BURSTEIN**: Thank you, Mr. Speaker, I didn't plan on standing up here today in front of you folks, but I have to, and I have to because two reasons: I'm a mother and I'm also a nurse. And I've been in the E.R. when I've seen these accidents occur. And I also am a mother of a 16 year old, and if you know what kids are doing today, they may not be texting, but they are playing on their phones somehow, listening to their music or doing whatever, so this is so important for the safety of our kids—for the safety of everybody.

And, it's also something that we have to think about other people and not ourselves with wanting to listen to our own books on tape or our own music, or being able to have a cell phone. We can use phones before we get in the car. We can use phones after we get out of the car. So, I encourage you to vote to pass this bill. Thank you.

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

Representative **GOLDEN**: Thank you, Mr. Speaker. Mr. Speaker, I just wanted to share, as a member of the Transportation Committee and having heard the testimony before the committee on this matter, that, you know, the evidence does suggest that driving and using a handheld cell phone, whether it is in your hand or hands-free, is dangerous. It is distracting, cognitively distracting, essentially on par with having a .08 blood-alcohol content. So, I do not take this vote lightly by any means.

And just responding to some of the comments that have been made, in the testimony before the committee from the Department of Public Safety and Maine State Police, they actually see passage of this bill as strengthening their ability to enforce the existing prohibition on texting and driving. So, I do actually believe that passage of this bill would allow the police to

do a better job of enforcing the problem of teenagers that drive and text.

I was very concerned with the penalty structure of the bill as it originally was. I appreciate the compromise that's been made. I think that it is a more reasonable penalty, and I think that this is a bill that has the potential for making our roads safer and, in some cases, may save lives, and I'll be supporting the measure as amended.

The SPEAKER: The Chair recognizes the Representative from Auburn, Representative Bickford.

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

The SPEAKER: The Representative may pose his question.

Representative **BICKFORD**: The question I have is, without being distracted, without taking your eyes off the road, without taking your hand off the wheel of the car, hands-free, how do you answer your phone and how do you make a call without being distracted?

The SPEAKER: The Representative from Auburn, Representative Bickford, has posed a question through the Chair to anyone who may care to respond. The Chair recognizes the Representative from Sanford, Representative Mastraccio.

Representative **MASTRACCIO**: Thank you, Mr. Speaker. The way I answer mine on mine, it's on my steering wheel and I press a button and it rings in my car, I hear it, I have a screen, it tells me what number it is, and you press the button and it answers. And I hang up the same way. It's right on my steering wheel. Everything's on my steering wheel. Just the way my windshield washer wiper is, everything, the radio. And if it was in a car where I had to put my iPhone up into the carrier, I would be able to take my finger and put it just like this, and touch the screen and answer it the same way if it didn't come through the Bluetooth for some reason.

The SPEAKER: The Chair recognizes the Representative from Brunswick, Representative Daughtry.

Representative **DAUGHTRY**: Thank you, Mr. Speaker, Ladies and Gentlemen of the House, I rise to answer the question that was asked by the good Representative. I will say, when this bill came before us earlier, I did not support it. I thought the penalties, frankly, were regressive and didn't help the matter at all. And since the bill came before us, I have been experimenting with how to use a cell phone hands-free.

I have an older car that doesn't have Bluetooth in it. I've now tried it with four different phones. I've experimented from having it just simply on speaker phone in my lap, which wasn't the best option, but it still worked. And then I discovered that most phones, including mine, now if you plug them into your car, they have voice activated voice control and I have been using it completely hands-free since the last vote. If a call comes in, I simply say, "Siri, please answer the call." I can tell her to check my email, I can tell her to send a text message, I can tell her to do a call. So, having experienced it first-hand, I just want to say, everyone, that I have changed my opinion and I will be supporting the motion that's on the floor.

The SPEAKER: The Chair recognizes the Representative from Brooksville, Representative Chapman.

Representative **CHAPMAN**: Thank you, Mr. Speaker, Friends and Colleagues of the House, I just want to point out that the "hands-free" characteristic is not particularly important relative to the distraction of driving and doing something involving a thought process. It's an attention problem. And so, merely using a hands-free mode, as opposed to a hands-on mode, does not significantly reduce the risks.

About a quarter of automobile accidents are due to those distracted activities involving telephones. And it's certainly

worthwhile trying to solve this problem, but the "hands-free" is not the matter of importance in reducing the risk. Thank you, Mr. Speaker.

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

Representative **HICKMAN**: Thank you, Mr. Speaker, Women and Men of the House, I'm kind of smiling on the inside because I thought that perhaps we wouldn't be doing this today, this much. What this does, is it reaffirms very clearly, my belief that we are so addicted to our cell phones that we have to make up every excuse in the world to use them in some form or fashion while we are operating a motor vehicle.

It's almost too funny for seriousness, except that poor people die in car accidents. Rich people die in car accidents. Young people die in car accidents. Senior citizens die in car accidents. And so, the road is an equalizer of all kinds. And I just don't understand some of this debate. I absolutely believe that we should pass this bill and make it very clear to people young and old that driving is a great responsibility and we need to take it very seriously. Thank you, Mr. Speaker.

The SPEAKER: The Chair recognizes the Representative from Auburn, Representative Sawicki.

Representative **SAWICKI**: Thank you, Mr. Speaker, and I'm battling laryngitis so please be patient with me for a little bit. If the reason for passing this law is to prevent people from having distracting conversations in the car, then we should consider making it illegal to have children in the back seat and passengers sitting to our right where we have conversations as we drive. I don't think there's any problem with having a conversation while you're driving a car. Thank you.

The SPEAKER: A roll call has been ordered. The pending question before the House is to Recede and Concur. All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 85

YEA - Alley, Babbidge, Bates, Beavers, Blume, Brooks, Burstein, Campbell J, Chipman, Cooper, Daughtry, Davitt, Devin, Dion, Doore, Dunphy M, Evangelos, Farnsworth, Fecteau, Fowle, Frey, Gattine, Gideon, Gilbert, Gillway, Golden, Goode, Grant, Grohman, Hamann, Herbig, Hickman, Hogan, Hubbell, Jorgensen, Kornfield, Kruger, Kumiega, Lajoie, Longstaff, Mastraccio, McCabe, McCreight, McLean, Melaragno, Monaghan, Moonen, Morrison, Nadeau, Noon, Pierce T, Powers, Rotundo, Rykerson, Sanborn, Schneck, Seavey, Shaw, Stuckey, Tepler, Tucker, Verow, Warren, Welsh, Mr. Speaker.

NAY - Austin, Battle, Beebe-Center, Bickford, Black, Bryant, Buckland, Campbell R, Chace, Chapman, Chenette, Corey, Crafts, DeChant, Dillingham, Duchesne, Dunphy L, Edgecomb, Espling, Foley, Fredette, Gerrish, Ginzler, Greenwood, Guerin, Hanington, Hanley, Harlow, Hawke, Head, Herrick, Higgins, Hilliard, Hobart, Hobbins, Hymanson, Kinney J, Kinney M, Lockman, Long, Luchini, Lyford, Maker, Malaby, Martin J, Martin R, McClellan, McElwee, Nutting, O'Connor, Parry, Peterson, Picchiotti, Pickett, Pierce J, Pouliot, Prescott, Reed, Russell, Sanderson, Saucier, Sawicki, Short, Sirocki, Skolfield, Stanley, Stearns, Stetkis, Sukeforth, Theriault, Timberlake, Timmons, Tipping-Spitz, Tuell, Turner, Vachon, Wadsworth, Wallace, Ward, White, Winsor, Wood.

ABSENT - Beck, Farrin, Marean, Sherman.

Yes, 65; No, 82; Absent, 4; Excused, 0.

65 having voted in the affirmative and 82 voted in the negative, with 4 being absent, and accordingly the motion to **RECEDE AND CONCUR FAILED**.

Subsequently, on motion of Representative McLEAN of Gorham, the House voted to **INSIST**.

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

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

COMMUNICATIONS

The Following Communication: (H.C. 159)

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

May 19, 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:"

Energy, Utilities and Technology

L.D. 326 An Act To Transfer Ownership of the Monhegan Water Company

L.D. 558 An Act To Amend the Community-based Renewable Energy Project Laws for Purposes of the Mayo Mill Project

L.D. 992 An Act To Regulate Standards of Service for Mobile Telecommunications Services and Broadband Services

Environment and Natural Resources

L.D. 146 Resolve, Regarding Legislative Review of Chapter 200: Metallic Mineral Exploration, Advanced Exploration and Mining, a Major Substantive Rule of the Department of Environmental Protection (EMERGENCY)

L.D. 712 An Act To Increase Organic Waste Recycling in the State

Health and Human Services

L.D. 101 An Act To Strengthen and Reform Maine's Welfare System

L.D. 816 An Act To Reform Welfare and Eliminate the Welfare Cliff

L.D. 841 Resolve, Directing the Department of Health and Human Services To Develop a Bus Pass Program

L.D. 917 Resolve, To Improve Access to Dental Care through a Pediatric Medical Benefit

Inland Fisheries and Wildlife

L.D. 257 An Act To Allow a Person To Take a 20-minute Break from Monitoring Ice Fishing Lines

L.D. 424 An Act To Allow the Use of Suppressors for Hunting Nuisance Wildlife

L.D. 723 An Act To Allow Reciprocal Recognition of New Hampshire and Maine Snowmobile Registrations

L.D. 746 An Act Regarding Captive Amphibian and Reptile Permits

L.D. 833 Resolve, To Direct the Department of Inland Fisheries and Wildlife To Add Koi to the List of Fish Approved for Aquariums

- L.D. 1239 An Act To Allow Persons To Train and Use Dogs To Hunt Coyotes (EMERGENCY)
- Judiciary
L.D. 553 An Act To Include a Representative of the Aroostook Band of Micmacs in the House of Representatives
- L.D. 993 Resolve, To Allow a Federally Recognized Indian Tribe To Conduct a Pilot Project in Hemp Cultivation
- L.D. 1094 An Act To Improve Tribal-state Relations
Taxation
- L.D. 934 An Act To Create Transparency in Maine's Economic Development Spending
- L.D. 1001 An Act To Enact a New Hire Tax Credit and To Create Initiatives To Help Families Move from Assistance to Employment
- L.D. 1164 An Act To Promote Tourism and Foster Economic Development

Sincerely,
S/Robert B. Hunt
Clerk of House

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

The Following Communication: (S.C. 329)

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

May 19, 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 referred Bill "An Act To Improve the Authority of Guardians of Persons with Intellectual Disabilities or Autism" (H.P. 834) (L.D. 1216) to the Committee on Judiciary, in non-concurrence.

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

READ and **ORDERED PLACED ON FILE.**

The Following Communication: (S.C. 330)

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

May 19, 2015
Honorable Mark W. Eves
Speaker of the House
2 State House Station
Augusta, Maine 04333
Dear Speaker Eves:

In accordance with 3 M.R.S.A. §158 and Joint Rule 506 of the 127th Maine Legislature, please be advised that the Senate today confirmed the following nominations:

Upon the recommendation of the Committee on Judiciary, the nomination of
Honorable Jeffrey H. Moskowitz of Saco for reappointment as a District Court Judge.

Upon the recommendation of the Committee on Judiciary, the nomination of
Honorable William R. Anderson of Morrill for reappointment as a Superior Court Justice.

Upon the recommendation of the Committee on Education and Cultural Affairs, the nomination of Noa Ann Sreden of Bath for appointment to the State Board of Education.

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

READ and **ORDERED PLACED ON FILE.**

PETITIONS, BILLS AND RESOLVES REQUIRING REFERENCE

Bill "An Act Regarding the Maine Registry of Certified Nursing Assistants and Direct Care Workers"

(H.P. 972) (L.D. 1426)

Sponsored by Representative ESPLING of New Gloucester. Submitted by the Department of Health and Human Services pursuant to Joint Rule 204.

Committee on **HEALTH AND HUMAN SERVICES** suggested and ordered printed.

REFERRED to the Committee on **HEALTH AND HUMAN SERVICES** and ordered printed.

Sent for concurrence.

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

SPECIAL SENTIMENT CALENDAR

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

Recognizing:

the Honorable John L. Tuttle, Jr., of Sanford, former 14-term member of the Maine State Legislature, on the occasion of his retirement as an emergency medical technician with North East Mobile Health Services after 40 years of serving his community. Mr. Tuttle, who served 11 terms in the House of Representatives and 3 terms in the Senate and began his legislative career in 1979, has earned the affection and respect of all those who know him. We send him our appreciation for his lifelong commitment to the people of Maine and we congratulate him on his well-deserved retirement;

(HLS 400)

Presented by Representative CAMPBELL of Newfield. Cosponsored by Representative ALLEY of Beals, Representative AUSTIN of Gray, Representative BABBIDGE of Kennebunk, Representative BATES of Westbrook, Representative BATTLE of South Portland, Representative BEAR of the Houlton Band of Maliseet Indians, Representative BEAVERS of South Berwick, Representative BECK of Waterville, Representative BEEBE-CENTER of Rockland, Representative BICKFORD of Auburn, Representative BLACK of Wilton, Representative BLUME of York, Representative BROOKS of Lewiston, Representative BRYANT of Windham, Representative BUCKLAND of Farmington, Representative BURSTEIN of Lincolnville, Representative CAMPBELL of Orrington, Representative CHACE of Durham, Representative CHAPMAN of Brooksville, Representative CHIPMAN of Portland, Representative COOPER of Yarmouth, Representative COREY of Windham, Representative CRAFTS of Lisbon, Representative DANA of the Passamaquoddy Tribe, Representative DAUGHTRY of

Brunswick, Representative DAVITT of Hampden, Representative DeCHANT of Bath, Representative DEVIN of Newcastle, Representative DILLINGHAM of Oxford, Representative DION of Portland, Representative DOORE of Augusta, Representative DUCHESNE of Hudson, Representative DUNPHY of Embden, Representative DUNPHY of Old Town, Representative EDGECOMB of Fort Fairfield, Representative ESPLING of New Gloucester, Representative EVANGELOS of Friendship, Speaker EVES of North Berwick, Representative FARNSWORTH of Portland, Representative FARRIN of Norridgewock, Representative FECTEAU of Biddeford, Representative FOLEY of Wells, Representative FOWLE of Vassalboro, Representative FREDETTE of Newport, Representative FREY of Bangor, Representative GATTINE of Westbrook, Representative GIDEON of Freeport, Representative GILBERT of Jay, Representative GILLWAY of Searsport, Representative GINZLER of Bridgton, Representative GOLDEN of Lewiston, Representative GOODE of Bangor, Representative GRANT of Gardiner, Representative GREENWOOD of Wales, Representative GROHMAN of Biddeford, Representative GUERIN of Glenburn, Representative HAMANN of South Portland, Representative HANINGTON of Lincoln, Representative HANLEY of Pittston, Representative HARLOW of Portland, Representative HAWKE of Boothbay Harbor, Representative HEAD of Bethel, Representative HERBIG of Belfast, Representative HERRICK of Paris, Representative HICKMAN of Winthrop, Representative HIGGINS of Dover-Foxcroft, Representative HILLIARD of Belgrade, Representative HOBART of Bowdoinham, Representative HOBBS of Saco, Representative HOGAN of Old Orchard Beach, Representative HUBBELL of Bar Harbor, Representative HYMANSON of York, Representative JORGENSEN of Portland, Representative KINNEY of Limington, Representative KINNEY of Knox, Representative KORNFIELD of Bangor, Representative KRUGER of Thomaston, Representative KUMIEGA of Deer Isle, Representative LAJOIE of Lewiston, Representative LOCKMAN of Amherst, Representative LONG of Sherman, Representative LONGSTAFF of Waterville, Representative LUCHINI of Ellsworth, Representative LYFORD of Eddington, Representative MAKER of Calais, Representative MALABY of Hancock, Representative MAREAN of Hollis, Representative MARTIN of Eagle Lake, Representative MARTIN of Sinclair, Representative MASTRACCIO of Sanford, Representative McCABE of Skowhegan, Representative McCLELLAN of Raymond, Representative McCREIGHT of Harpswell, Representative McELWEE of Caribou, Representative McLEAN of Gorham, Representative MELARAGNO of Auburn, Representative MITCHELL of the Penobscot Nation, Representative MONAGHAN of Cape Elizabeth, Representative MOONEN of Portland, Representative MORRISON of South Portland, Representative NADEAU of Winslow, Representative NOON of Sanford, Representative NUTTING of Oakland, Representative O'CONNOR of Berwick, Representative PARRY of Arundel, Representative PETERSON of Rumford, Representative PICCHIOTTI of Fairfield, Representative PICKETT of Dixfield, Representative PIERCE of Dresden, Representative PIERCE of Falmouth, Representative POULIOT of Augusta, Representative POWERS of Naples, Representative PRESCOTT of Waterboro, Representative REED of Carmel, Representative ROTUNDO of Lewiston, Representative RUSSELL of Portland, Representative RYKERSON of Kittery, Representative SANBORN of Gorham, Representative SANDERSON of Chelsea, Representative SAUCIER of Presque Isle, Representative SAWICKI of Auburn, Representative SCHNECK of Bangor, Representative SEAVEY of Kennebunkport, Representative SHAW of Standish, Representative SHERMAN of Hodgdon, Representative SHORT

of Pittsfield, Representative SIROCKI of Scarborough, Representative SKOLFIELD of Weld, Representative STANLEY of Medway, Representative STEARNS of Guilford, Representative STETKIS of Canaan, Representative STUCKEY of Portland, Representative SUKEFORTH of Appleton, Representative TEPLER of Topsham, Representative THERIAULT of China, Representative TIMBERLAKE of Turner, Representative TIMMONS of Cumberland, Representative TIPPING-SPITZ of Orono, Representative TUCKER of Brunswick, Representative TUELL of East Machias, Representative TURNER of Burlington, Representative VACHON of Scarborough, Representative VEROW of Brewer, Representative WADSWORTH of Hiram, Representative WALLACE of Dexter, Representative WARD of Dedham, Representative WARREN of Hallowell, Representative WELSH of Rockport, Representative WHITE of Washburn, Representative WINSOR of Norway, Representative WOOD of Greene, Senator ALFOND of Cumberland, Senator BAKER of Sagadahoc, Senator BRAKEY of Androscoggin, Senator BREEN of Cumberland, Senator BURNS of Washington, Senator COLLINS of York, Senator CUSHING of Penobscot, Senator CYRWAY of Kennebec, Senator DAVIS of Piscataquis, Senator DIAMOND of Cumberland, Senator DILL of Penobscot, Senator DUTREMBLE of York, Senator EDGECOMB of Aroostook, Senator GERZOFKY of Cumberland, Senator GRATWICK of Penobscot, Senator HAMPER of Oxford, Senator HASKELL of Cumberland, Senator HILL of York, Senator JOHNSON of Lincoln, Senator KATZ of Kennebec, Senator LANGLEY of Hancock, Senator LIBBY of Androscoggin, Senator MASON of Androscoggin, Senator McCORMICK of Kennebec, Senator MILLETT of Cumberland, Senator MIRAMANT of Knox, Senator PATRICK of Oxford, Senator ROSEN of Hancock, Senator SAVIELLO of Franklin, President THIBODEAU of Waldo, Senator VALENTINO of York, Senator VOLK of Cumberland, Senator WHITTEMORE of Somerset, Senator WILLETTE of Aroostook, Senator WOODSOME of York.

On **OBJECTION** of Representative CAMPBELL of Newfield, was **REMOVED** from the Special Sentiment Calendar.

READ.

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

Representative **CAMPBELL**: Thank you, Mr. Speaker. Mr. Speaker and Ladies and Gentlemen of the House, today we are honoring a man who truly understands what it means to be a public servant. John Tuttle graduated from Sanford High School in 1970. He earned a B.A. from the University of Maine in Presque Isle and a Master's in Public Accounting from the University of Maine. He is a veteran of the Maine Army National Guard, and served as a medical emergency technician for the Sanford Fire Department for 40 years.

But many of us know John from the time here in the State House. He was first elected to the Maine House of Representatives in 1978 and served 14 terms between the Maine House and the Senate. John Tuttle has served the people of Sanford in every possible way. We are honoring John for his well-deserved retirement, but it would be a disservice not to also honor him for his time spent serving the Maine people in the State Senate. John is a great husband, a great father, and truly a great friend. Congratulations, John, on your retirement.

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

Representative **MASTRACCIO**: Thank you, Mr. Speaker, Women and Men of the House, John Tuttle is a very devoted son of Sanford. Between his service in the Maine House and Senate, he has represented the City of Sanford for 28 years. When not at

the Legislature, he was still serving Sanford through his job as an EMT with Northeast Mobile Health Services where he worked for over 40 years.

Whether at the State House, in the ambulance, or just walking around town, he's always saying great things about Sanford—what a wonderful place it is, and how he truly loves the people of Sanford. He will also occasionally mention his wrestling days at Sanford High School to anyone who will listen. I rise today to thank John Tuttle for all he has done for Sanford and the people of Maine, and to wish him a long, happy, and healthy retirement. He has truly earned it. Thank you, Mr. Speaker.

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

Recognizing:

Timothy P. Wilson, of Portland, who is the recipient of the Gerda Haas Award for Excellence in Human Rights Education and Leadership from the Holocaust and Human Rights Center of Maine. This award is named after Gerda Haas, founder of the center and Holocaust survivor. Mr. Wilson has more than 50 years of experience in education, public service and athletic coaching and has earned various honors, including a Distinguished Leadership Award from Seeds of Peace, a Medal of Honor from the late King Hussein of the Hashemite Kingdom of Jordan and the Franklin H. Williams Award, which honors outstanding returned Peace Corps volunteers of color who have put their overseas experiences to work in their communities and in their professions to promote a better understanding of other people and their cultures. Mr. Wilson currently serves as Special Advisor to Seeds of Peace, an organization he has served since its founding in 1993, and Director of its Maine Seeds Program. Until 2006, he was the director of both the Seeds of Peace International Camp in Maine and the Seeds of Peace Center for Coexistence in Jerusalem. We extend to Mr. Wilson our congratulations for his receiving this prestigious award and our appreciation for his service;

(HLS 401)

Presented by Representative CAMPBELL of Orrington. Cosponsored by Senator ALFOND of Cumberland, Senator HASKELL of Cumberland, Representative RUSSELL of Portland, Representative STUCKEY of Portland, Representative CHIPMAN of Portland, Representative DION of Portland, Representative FARNSWORTH of Portland, Representative HARLOW of Portland, Representative JORGENSEN of Portland, Representative MOONEN of Portland.

On **OBJECTION** of Representative CAMPBELL of Orrington, was **REMOVED** from the Special Sentiment Calendar.

READ.

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

Representative **CAMPBELL**: Thank you, Mr. Speaker, Men and Women of the House, as I mentioned yesterday, it's incredible the number of people that we have amongst us in the State of Maine that are influential in so many different ways. My first recollection of Tim Wilson is one of a football coach in Dexter. And the impression he left on me was incredible over the years as I watched his influence on athletes and students from afar. I then happened to meet up with Tim Wilson in Oxford County at Representative Heidrich's house on Seeds of Peace and learn more about this incredible person.

One of the things that we haven't seen in this bio that he's been doing over the years, he has been very influential in state government as well. His bio reads that he's been appointed by three Maine Governors to posts including Chair of Maine Human

Rights Commission, State Ombudsman, Associate Commissioner of Programs for the Department of Mental Health, Mental Retardation, and Corrections, also been Director of State Offices of Community Services, Civil Emergency Preparedness and Energy, and he's been Associate Headmaster at Hyde School in Bath and a Director of Admissions at Maine Central Institute in Pittsfield.

But this gentleman, once you meet him, it's very evident what his passion is. His passion is encouraging students to become all that they can. Both near, and many high schools from Cony to Portland, Lewiston, many of the students are here, but also internationally. His summer camp for students from Palestine and Jerusalem is an incredible piece that once you learn the story is just so moving that this quiet individual, although once you meet him, you won't leave without hearing about his passion about students, will leave a tremendous impression.

One of the things that I would like to pass on that Seeds of Peace is in many of the high schools at this point, but they're looking for more high schools to be involved. I think he had a conversation with Dover-Foxcroft Academy this morning, and it sounds like they're signed up, so if you're high school has an interest please see Tim Wilson in the hall outside. Thank you.

The SPEAKER: The Chair recognizes the Representative from Norway, Representative Winsor.

Representative **WINSOR**: Thank you, Mr. Speaker, Men and Women of the House, a number of years ago Tim Wilson presented to my local Kiwanis Club. He was there to talk about his Seeds of Peace camp. Now, I'd heard of the camp, it's in Otisfield, and I passed by the camp many, many times and until I heard Tim's talk, I really had no understanding of this camp or its goals.

What I remember mostly was Tim's sincere expression, that we could achieve world peace, but only through one child, one child at a time. His expression was simple. He says, "You know, it's hard to hate somebody you know. Someone who you've played with, who you eat with, and so on." So, his plan, a simple one, was to bring young folks from around the world and put them together and let them play and be young people. It's a noble and honorable goal in a little camp in a little town in Maine.

So, Tim, I know that this can work, I really do. And I think all of us here salute you and we pray for your continued success in achieving world peace. I'm a believer, and thank you very much.

The SPEAKER: The Chair recognizes the Representative from Paris, Representative Herrick.

Representative **HERRICK**: Thank you, Mr. Speaker, Ladies and Gentlemen of the House, I rise today because I am very pleased to know that a great leader in the State of Maine, and I say a "leader," a man of honor, vision, and definitely a seed of peace.

I began to know, I come to know, Tim Wilson in the early 90's when I was Sheriff of Oxford County. I got this phone call saying, "We need to talk about some security for the Seeds of Peace camp in Otisfield, Maine," which is located, of course, in Oxford County. I went to meet the gentleman that I learned to not only admire, but truly became a believer in his effort and what he did and what he stood for.

I believed in it so much that when I retired in 2006, I continued to assist in security there. It's something when you're on the ground with these young adults, teenagers from the Middle East, and you see what is happening between them. The barriers, it may be a religious issue, it may be whatever, but Seeds of Peace philosophy, what they do, develops that barriers that are broken down. They understand that they have similar likeness, they have similar issues in common. It is just an opportunity to come together. These are the potential leaders in

the future in the Middle East, and to bring that effort together, to me, is pretty amazing.

I, again, think that Tim Wilson is one of the generational leaders and the State of Maine is a better place because Tim Wilson has had an opportunity to be himself and to make others feel that they can make a difference also. So, again, thank you, Mr. Speaker and Ladies and Gentlemen of the House, and thank you, Tim Wilson for being part of Maine.

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

Representative **JORGENSEN**: Thank you, Mr. Speaker. Mr. Speaker, Men and Women of the House, I also want to acknowledge Mr. Wilson and the great work of Seeds of Peace. It's a very small organization whose impact on the world has been extraordinary.

But I also want to draw attention to Seeds of Peace's work locally with Maine students, working with our immigrant neighbors, our new Mainers, and the issues of race, diversity, and leadership right here in Maine that Seeds of Peace has done. So, as a Representative from Portland, I am very excited to see Mr. Wilson being honored in this way, and I wish him all my best. Thank you, Mr. Speaker.

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

Representative **WALLACE**: Thank you, Mr. Speaker, Members of the House, I've known Tim for a long while. He came to Dexter as a very young gentleman, brought his family there. He taught football and was a teacher. And I tell you, he took kids 130 pounds or less and he created them into the best defensive and offensive lineman you could possibly think of, because he made them believe in themselves. And that's one characteristic that he has.

What he can instill in people, in young people, is amazing, and I'm very proud to see him down here today with the young people. He has brought some down from Dexter, and I just can't say enough about the man because he's come back to Dexter a couple of times, and he is a resident of Dexter. No matter where he lives, he's a resident of Dexter. And we feel that way about him, and we always will. Thank you, sir.

The SPEAKER: The Chair recognizes the Representative from Carmel, Representative Reed.

Representative **REED**: Thank you, Mr. Speaker, Ladies and Gentlemen of the House, I rise to say it is good to see that Tim Wilson is continuing his good work among Maine's youth. I first met Tim Wilson when he was an inspiring, much younger, football coach for the Dexter Tigers. Come to think of it, I guess I was much younger, myself. His Tigers were always well-coached, very aggressive, and very disciplined. They were constantly near the top of the LTC, which stands for the Little Ten Conference. When the season started, you knew it was either going to be Dexter or Bucksport that were going to be vying for the Title.

He was inspiring then, and judging from all the young people he brought with him today, he is still inspiring young people. Tim has always been a man of integrity and honesty, and always has had the best interest of kids at heart. So, Tim, I wanted to wish you well as you continue your good work with the Seeds of Peace organization. Thank you, Mr. Speaker, and thank you Ladies and Gentlemen of the House.

The SPEAKER: The Chair recognizes the Representative from York, Representative Hymanson.

Representative **HYMANSON**: Hello, Mr. Speaker, there's another organization very similar to Seeds of Peace called Friends Forever, and I wanted to endorse the idea of bringing kids over from troubled areas.

My husband and I opened up our house two summers ago to 12 kids from Northern Ireland, half were Protestant and half were Catholic. They stayed in our house for two weeks with four chaperones. They did projects around the Town of York and talked at the Chamber. We didn't know, and we didn't want to know who was Catholic and who was Protestant. They tried to teach us who was, and we would say, "I don't want to know." So it was a life raft project for them. They were fabulous kids. And the idea was to get them together, out of their country, sleeping together in the same rooms, eating together, making decisions together, and learning to get along. So, it's a fabulous concept. We've heard about Seeds of Peace through Friends Forever, and I fully endorse the idea. Thank you.

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

REPORTS OF COMMITTEE
Refer to the Committee on Judiciary
Pursuant to Joint Order

Representative **HOBBINS** for the **Joint Standing Committee on Judiciary** on Bill "An Act To Amend the Laws Relating to Corporations and Limited Partnerships"

(H.P. 971) (L.D. 1425)

Reporting that it be **REFERRED** to the Committee on **JUDICIARY** pursuant to Joint Order 2015, H.P. 931.

Report was **READ** and **ACCEPTED** and the Bill **REFERRED** to the Committee on **JUDICIARY**.

Sent for concurrence.

Divided Reports

Majority Report of the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** reporting **Ought Not to Pass** on Bill "An Act To Provide a Source of Funding for Drug Abuse Resistance Education"

(S.P. 144) (L.D. 376)

Signed:

Senators:

ROSEN of Hancock
GERZOFKY of Cumberland

Representatives:

FOWLE of Vassalboro
DAVITT of Hampden
GERRISH of Lebanon
LAJOIE of Lewiston
LONG of Sherman
THERIAULT of China
TIMMONS of Cumberland

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (S-95)** on same Bill.

Signed:

Senator:

BURNS of Washington

Representatives:

CHENETTE of Saco
NADEAU of Winslow
WARREN of Hallowell

Came from the Senate with the Minority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill

**PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-95).
READ.**

Representative FOWLE of Vassalboro moved that the House **ACCEPT** the Majority **Ought Not to Pass** Report.

The SPEAKER: The Chair recognizes the Representative from Vassalboro, Representative Fowle.

Representative **FOWLE**: Mr. Speaker and Members of the House, this bill has to do with the DARE program. And I know that we're all very aware of the DARE program from years that it's been around, and the reason I'm moving the Majority Ought Not to Pass are for a couple of reasons.

Years ago, and for nine years, I was a school board member. And during the time, the DARE program was in the school in Vassalboro, and actually the sponsor of this bill was our officer that taught the DARE program, so taught all three of my children. During the time I was on the school board, it was a program that was limited to support it, and the other reason was the direction that schools were going in.

And schools seemed to change the direction to resource officers. And resource officers, even though it didn't come into my school, were going into high schools and building connections and relationships with students, having a one-on-one, front door access, to the students that may be having issues with drugs or students that may know of issues, or where things were happening and have that connection to be able to report in conversation with the resource officer. So, it's a program that I have seen many schools over the years take a different path. They've gone from the DARE program to the resource officers and using them in that way, and I'm very supportive of it going in that direction.

The other concern that I have with this bill is the funding mechanism they have. This bill would put on a \$10 charge, a fine, surcharge, to anyone convicted of a drug crime. Now that's all fine and dandy, let's hold the person who is convicted of drug crimes responsible for the problem that we have with drugs in this state, but I think the reality is anyone looking at a paper, or knows what's going on in our jail system, would realize that those fines aren't being paid. So how do you collect a fine when it's not being paid? How do you get resources from this bill to be in a fund that would support the DARE program going forward? And they're not being paid and warrants are being put out for their arrests, so they're getting arrested and they're put in jails, and we have so many people in our jails and I think it creates another problem that we're having to deal with in our committee and stuff. For those two reasons, and a number of others, but for those two main reasons, I would ask you to support the Ought Not to Pass on my motion on LD 376, please.

The SPEAKER: The Chair recognizes the Representative from Saco, Representative Chenette.

Representative **CHENETTE**: Thank you, Mr. Speaker, as we've heard consistently, we have a huge drug epidemic in our state. We can talk about enforcement, we can talk about courts, we can talk about treatment, but let's solve the root problem—prevention keeps it from becoming an issue to begin with. And this Drug Abuse Resistance Education program is one step in that direction. And, just to let you know, I went through the DARE program. I am a proud product of the DARE program.

And, my fellow peers and I went through the system, we worked collaboratively with our resource officer in our school, and worked to try to work through some of the drug issues. Who better than to do this drug education than our resource officers currently in their schools? That's all this is suggesting. The schools that are already doing it, this will not impact it. It's just

suggesting that here is a funding alternative, that people who are doing the drugs should be the ones to pony up some money for prevention to keep the next generation of Mainers from abusing substances. I don't think \$10 is a lot to ask, Mr. Speaker.

And, I just want you to take a second—imagine a world in which students everywhere are empowered to respect others and choose to lead lives free from violence, substance abuse, and other dangerous behaviors. Talk is cheap, Mr. Speaker. It's time to vote our values and I'd ask for a roll call.

The same Representative **REQUESTED** a roll call on the motion to **ACCEPT** the Majority **Ought Not to Pass** Report.

Fewer than one-fifth of the members present expressed a desire for a roll call which was not ordered.

The SPEAKER: The Chair recognizes the Representative from Calais, Representative Maker.

Representative **MAKER**: Mr. Speaker, Ladies and Gentlemen of the House, I stand today in opposition of the motion before us and ask you to vote for the Minority Report Ought to Pass as Amended by the committee amendment. If you were asked if you knew any drug prevention programs, and let you stop and think about it for a minute, the first program that would be on your mind is Drug Abuse Resistance Education.

Some claim DARE does not work. If it did not work, it would not be in 43 countries, almost in every state in the USA, and has been around for 32 years. DARE was founded in 1983 in Los Angeles—the largest drug-free program in the world. Students who enter the program present a pledge at the end not to use drugs. The program teaches students about the dangers of recreational drug used in an interactive in-school setting feeding off each other in group activities to make good decision.

Senator Scott Cyrway is the sponsor of this bill and has been involved for 23 years presenting the program and mentoring other officers and says it works. DARE is not just a police officer going into a school and telling students not to do drugs. It is a decision-making program, which has been implemented by educators, law enforcement, and researched by doctors throughout the country.

I also have to submit here that our son is also a D.A.R.E officer and a co-chair of Camp POSTCARD. It has evolved from instructional to facilitation-based teaching modalities. The new D.A.R.E Strategies Project is about why our youth use drugs. It was developed collaboratively by Penn State University, Arizona State University, DARE America and schools around the country.

Senator Scott Cyrway has seen firsthand the benefits of a strong DARE program within the school. He has been involved, not only as a DARE officer, but was at the schools when serious situations occur, like a parent with a gun going to the school to get his kids. In the fifth grade, a student threatened to kill any student that told on him. First grade girl with a knife up her sleeve going to cut another student her head off. A parent drunk driving getting arrested in front of a bus full of students, and he could go on. This allows the students and parents to go to an officer and feel comfortable since they could relate to him having the students in the classroom, as well as for protection. Not all schools and students have access to a DARE program, which is something I would like to see corrected.

The point of this bill is to provide a source of funding for the DARE program, funding that can ensure that more students will continue to be educated on the dangers of drug use. When the program originated, there was federal drug money grant funding available, which formed the bulk of the funding for the program. Eventually, the Federal Communicated Oriented Policing Services/School Resource Officer grant took the place of the drug free money. This was reactionary due to school shootings and the grant also provided funding for DARE, but most schools

chose to use the funding they received to have a member of law enforcement present in the classroom.

Because of this funding shortage, town schools are being forced to personally pay for the presence of a school resource officer, which presently COPS grant money is dwindling. Let's make a step in the right direction and pass this bill. DARE officers are specially trained to work with kids and set an image of what law enforcement officers will be perceived as. In today's society, with all the negative images surrounding law enforcement, this perception is very important. The current language of the bill suggests the funding would be a \$10 surcharge from a drug charge from the courts. Other states have funded their DARE programs with surcharges levied on court fines, fee charges in cases related to alcohol, drugs, and funds received from tobacco taxes.

I think these and other funding options are worthwhile. We're not asking for much, just let's show an example from the State of Maine. An ounce of prevention is worth a pound of cure. Let's not just put fines out; let's keep them. To have a little prevention provided by the State of Maine is not too much to ask. Thank you for time in making this program work. Thanks for your support in the matter, Mr. Speaker.

Representative FREDETTE of Newport **REQUESTED** that the Clerk **READ** the Committee Report.

The Clerk **READ** the Committee Report in its entirety.

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 don't want to belabor this point, because we're not having a roll call, but I do rise in support of the pending motion, and I do think it's important that there's a reason on the books as to why.

There is a young woman names Shona Banda in Kansas right now, and her son, who is 11 years old went to school one day and went to the DARE program, and when they were actually standing there talking about the dangers of marijuana, her son stood up and said, "Well, my mother uses cannabis as medicine for Crohn's." She has very debilitating Crohn's Disease, and her son said, "It's medicine." By the time his mother got home, there had been a warrantless search of her house. There was no warrant, she was not allowed to have access to her house, and they took her son away. She is currently in a national debate trying to get her son back because she has debilitating Crohn's.

If you go to DARE.org, there is a story posted there. "Edible marijuana candies kill 9 in Colorado, 12 at Coachella." And it is a very interesting story about how edibles in Colorado are killing people. That is on the DARE website right now, I have it in front of me. That article is being presented as though it's facts, as though it's science, as though it's a real article. That article is from a news organization on par with *The Onion*. That is the kind of information that is being distributed as the national level.

Now, at the local level, there are so many law enforcement officers who are working on this program who are doing amazing work. And I don't want to disparage them by any stretch of the imagination, but I do think we need to have a rational conversation about what the education program looks like and what's in it. And for me, it's very difficult for me to vote to support funding the DARE program when there are problems with the information that is being distributed and the potential for people to lose their children. So, that's why I'm delighted that we will not be having a roll call and I hope folks are going to continue in that fashion and continue with the Ought Not to Pass vote, which the committee wisely brought forth.

The **SPEAKER**: The Chair recognizes the Representative from Winslow, Representative Nadeau.

Representative **NADEAU**: Thank you, Mr. Speaker. I have been hearing that we have resource officers in the school and that they are sufficient. They handle a lot more than just the education of drugs. They handle everything that comes up every day in the schools. This brings me up to the DARE program. That is why we have a specialized program, the DARE program. It specializes in educating kids on drugs.

So, I guess I just want to say that the DARE program works. It works for all. We cannot push this on to our resource officers to educate the kids on drugs. We have a specialized program that does it. I say, let's utilize it. Thank you.

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

Representative **TUELL**: Thank you, Mr. Speaker, I also rise in support of the Minority Report. I believe that drugs are a huge issue in Washington County, that I believe that is why Senator Burns in the other body signed on to the Minority Report. I believe we need to do this. I believe it's the right thing to do, as the Representative from Saco said, and said so eloquently. I'm disappointed we're not having a roll call, but I believe that the Minority Report is still the right thing to do, and I would be supporting it, were we to have a roll call.

The **SPEAKER**: The Chair would remind members during debate not to speculate about the motives of other members, and to also keep to the report that is in front of us, which is the Ought Not to Pass Report.

The Chair reminded all members that it was inappropriate to question the motives of other members of the House and to confine their debate to the question before the House.

The **SPEAKER**: The Chair recognizes the Representative from South Portland, Representative Battle.

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

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

Representative **BATTLE**: I was the high school resource officer in South Portland for several years, and we had a DARE program. We also had a number of issues in South Portland that we wanted to address. We were not able to if we stayed with the DARE program, so we had to separate and create our own program. This bill, will it fund other programs with law enforcement departments or police officers are doing? Because DARE is very restrictive and very costly.

The **SPEAKER**: The Representative from South Portland, Representative Battle, has posed a question through the Chair to anyone who may care to respond. The Chair recognizes the Representative from Vassalboro, Representative Fowle.

Representative **FOWLE**: The way I understand it, this fund would only fund for DARE program.

The **SPEAKER**: The Chair recognizes the Representative from Saco, Representative Chenette.

Representative **CHENETTE**: Thank you, Mr. Speaker, I apologize for rising a second time. I just wanted to respond to the good Representative from Portland's concerns. I hope we're not suggesting that we should encourage resource officers to be promoting illegal drug use in our schools. I mean, right now, recreational marijuana is not legal in the State of Maine. I would just like to remind members of that fact.

Also, I think it's really embarrassing that we can't have this vote on the record. You can answer to your constituents back home. I mean, it's embarrassed. I'm sitting in this seat, and I cannot even fathom why you don't want to be held accountable by your constituents. I am beyond words, Mr. Speaker, right now. I will remember that, and with that, I ask for a division.

The same Representative **REQUESTED** a division on the motion to **ACCEPT** the Majority **Ought Not to Pass** Report.

The Chair ordered a division on the motion to **ACCEPT** the Majority **Ought Not to Pass** Report.

Representative **FREDETTE**: Mr. Speaker, Point of Order.

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

Representative **FREDETTE**: Thank you, Mr. Speaker, I simply ask that you might explain what a division is. Many of the folks, particularly on my side of the aisle, may not understand what that is.

The **SPEAKER**: Essentially, a division is a non-recorded vote. It indicates where you are on the yea's and the nay's, but it is a non-recorded vote, much in the same way that emergency enactors are not recorded.

The **SPEAKER**: The Chair recognizes the Representative from Newcastle, Representative Devin, and reminds the Member that the vote is open.

Representative **DEVIN**: Point of Order, Mr. Speaker. How is a division determined to become active? Is it your decision alone?

The **SPEAKER**: Any member can request it and the Chair will order it. The vote is open. Is the House ready? The Chair will open the vote.

A vote of the House was taken. 108 voted in favor of the same and 21 against, and accordingly the Majority **Ought Not to Pass** Report was **ACCEPTED** in **NON-CONCURRENCE** and sent for concurrence.

Majority Report of the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** reporting **Ought to Pass** on Bill "An Act To Remove Limitations on Reciprocity for Concealed Handguns Permits"

(S.P. 313) (L.D. 868)

Signed:

Senators:

ROSEN of Hancock
BURNS of Washington
GERZOFISKY of Cumberland

Representatives:

CHENETTE of Saco
GERRISH of Lebanon
LONG of Sherman
THERIAULT of China
WARREN of Hallowell

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

Signed:

Representatives:

FOWLE of Vassalboro
DAVITT of Hampden
LAJOIE of Lewiston
NADEAU of Winslow
TIMMONS of Cumberland

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

READ.

On motion of Representative FOWLE of Vassalboro, **TABLED** pending **ACCEPTANCE** of either Report and later today assigned.

Majority Report of the Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-101)** on Bill "An Act To Protect Employees from Abusive Work Environments"

(S.P. 63) (L.D. 188)

Signed:

Senator:

PATRICK of Oxford

Representatives:

HERBIG of Belfast
BATES of Westbrook
CAMPBELL of Newfield
FECTEAU of Biddeford
GILBERT of Jay
MASTRACCIO of Sanford

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

Signed:

Senators:

VOLK of Cumberland
CUSHING of Penobscot

Representatives:

AUSTIN of Gray
LOCKMAN of Amherst
STETKIS of Canaan
WARD of Dedham

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

READ.

Representative HERBIG of Belfast 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 Belfast, Representative Herbig.

Representative **HERBIG**: Thank you, Mr. Speaker. Mr. Speaker, Men and Women of the House, LD 188 directs the state's Worker's Compensation Board to develop recommendations to protect victims of abuse and bullying on the job. This is a resolve to basically, look for solutions to, what is obviously a problem in this state that we heard during the public hearing.

Maine workers deserve protections under the law from abuse and bullying on the job. Current law already gives workers protections from discrimination abuse based on race, gender, or sexual orientation. This bill looks for solutions to expand those same protections to workers who have been harmed psychologically, physically, or economically on the job at no fault of their own. I urge you to support the Majority Report.

The **SPEAKER**: The Chair recognizes the Representative from Amherst, Representative Lockman.

Representative **LOCKMAN**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House, LD 188 is a reread of a bill from the 126th Legislature that was vetoed. Members should know that currently no other state in the nation has enacted legislation such as what's proposed here. LD 188 would create a bottomless pit of problems and legal costs for

small employers to educate, monitor, and police employees on what constitutes abusive behavior, ensure that it does not occur, and interject when it does even if the alleged abuse might be due to personality differences or other factors inherent in human dynamics.

The cost to a small employer in legal fees could be considerable even if the lawsuit were dropped, or the employer was found to be not at fault. LD 188 is the wrong way to address problems of abuse in the workplace. Thank you, Mr. Speaker.

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

Representative **MASTRACCIO**: Thank you, Mr. Speaker, Men and Women of the House, this bill, it's the amendment that's important. It's the bill has been replaced by the amendment and it is a resolve directing the Department of Labor to study the issue of addressing psychological and physical harm to employees due to abusive work environments. Simple. It's a problem. We decided rather than pass a law to deal with an issue that we didn't understand the true magnitude of, it would be important to study it first. 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. 86

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

NAY - Austin, Battle, Bickford, Black, Buckland, Campbell R, Chace, Corey, Crafts, Dillingham, Dunphy L, Edgecomb, Espling, 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, McClellan, McElwee, Nutting, O'Connor, Parry, Picchiotti, Pickett, Pierce J, Pouliot, Prescott, Reed, Sanderson, Seavey, Sirocki, Skolfield, Stearns, Stetkis, Sukeforth, Theriault, Timberlake, Timmons, Tuell, Turner, Vachon, Wadsworth, Ward, White, Winsor, Wood.

ABSENT - Beck, Farrin, Hobbins, Marean, Russell, Sawicki, Sherman, Wallace.

Yes, 78; No, 65; Absent, 8; Excused, 0.

78 having voted in the affirmative and 65 voted in the negative, with 8 being absent, and accordingly the Majority **Ought to Pass as Amended** Report was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (S-101)** 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-101)** in **NON-CONCURRENCE** and sent for concurrence.

Majority Report of the Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-94)** on Bill "An Act Regarding Contract Indemnification" (S.P. 203) (L.D. 587)

Signed:

Senators:

VOLK of Cumberland
CUSHING of Penobscot

Representatives:

AUSTIN of Gray
CAMPBELL of Newfield
LOCKMAN of Amherst
STETKIS of Canaan
WARD of Dedham

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

Signed:

Senator:

PATRICK of Oxford

Representatives:

HERBIG of Belfast
BATES of Westbrook
FECTEAU of Biddeford
GILBERT of Jay
MASTRACCIO of Sanford

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-94)**.
READ.

Representative HERBIG of Belfast moved that the House **ACCEPT** the Minority **Ought Not to Pass** Report.

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

Majority Report of the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** reporting **Ought to Pass** on Bill "An Act To Include Nonalcoholic Malt Beverages in the List of Exempt Products in the Law Regarding the Labeling of Genetically Engineered Products"

(H.P. 295) (L.D. 456)

Signed:

Senators:

EDGECOMB of Aroostook
DILL of Penobscot
SAVIELLO of Franklin

Representatives:

BLACK of Wilton
DUNPHY of Old Town
EDGECOMB of Fort Fairfield
KINNEY of Knox
MAREAN of Hollis
McELWEE of Caribou
NOON of Sanford

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

Signed:

Representatives:

HICKMAN of Winthrop
CHAPMAN of Brooksville
SAUCIER of Presque Isle

READ.

On motion of Representative HICKMAN of Winthrop, 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** and sent for concurrence.

Majority Report of the Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-151)** on Bill "An Act To Establish the Maine Length of Service Award Program"

(H.P. 122) (L.D. 164)

Signed:

Senators:

VOLK of Cumberland
CUSHING of Penobscot
PATRICK of Oxford

Representatives:

HERBIG of Belfast
BATES of Westbrook
CAMPBELL of Newfield
FECTEAU of Biddeford
GILBERT of Jay
MASTRACCIO of Sanford
STETKIS of Canaan
WARD of Dedham

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

Signed:

Representatives:

AUSTIN of Gray
LOCKMAN of Amherst

READ.

Representative HERBIG of Belfast 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 **MARINE RESOURCES** reporting **Ought Not to Pass** on Bill "An Act To Improve Lobster Licensing"

(H.P. 615) (L.D. 896)

Signed:

Senators:

BAKER of Sagadahoc
LANGLEY of Hancock

Representatives:

KUMIEGA of Deer Isle
BLUME of York
DEVIN of Newcastle
HAWKE of Boothbay Harbor
PIERCE of Dresden
SAWICKI of Auburn
TUELL of East Machias

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

Signed:

Senator:

MIRAMANT of Knox

Representatives:

ALLEY of Beals
BATTLE of South Portland
McCREIGHT of Harpswell

READ.

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

Majority Report of the Committee on **STATE AND LOCAL GOVERNMENT** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-141)** on Bill "An Act To Buy American-made Products"

(H.P. 273) (L.D. 407)

Signed:

Senator:

LIBBY of Androscoggin

Representatives:

MARTIN of Sinclair
BABBIDGE of Kennebunk
BEEBE-CENTER of Rockland
BRYANT of Windham
DOORE of Augusta
EVANGELOS of Friendship

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

Signed:

Senators:

WHITTEMORE of Somerset
WILLETTE of Aroostook

Representatives:

GREENWOOD of Wales
PICKETT of Dixfield
TUELL of East Machias
TURNER of Burlington

READ.

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

The SPEAKER: The Chair recognizes the Representative from Sinclair, Representative Martin.

Representative **MARTIN**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House, LD 407, "An Act To Buy American-made Products," would establish a state

procurement reference for goods that are made in the United States when they are available in sufficient quality and quantity for state public works projects.

This clearly is a common sense piece of legislation that would create jobs in our state and in the United States. And as you know, a vast majority of people agree that we should use our tax dollars to invest in jobs in America. As a matter of fact, a recent public survey conducted by the Alliance of American Manufacturing bipartisan team of polling firms found that 89 percent of voters support Buy American Laws, including 91 percent of Democrats, and 87 percent of Republicans. This legislation has language allowing for exceptions for emergency life safety equipment, exceptions if the goods required for public projects are not currently made in the United States, and a process by which a public agency may request a waiver. Mr. Speaker and Ladies and Gentlemen of the House, I urge you to support the pending motion. Thank you.

Representative McCABE of Skowhegan **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 Augusta, Representative Doore.

Representative **DOORE**: Thank you, Mr. Speaker, Ladies and Gentlemen of the House, I rise today to tell you why we need to buy products in America, and I would like to just share an example that I saw a few months ago on *60 Minutes*.

It was about a foreign company, actually it was called Lumber Liquidators, excuse me, and they were buying flooring from China, and it was stamped in China that it didn't have any formaldehyde in it, because in America, we don't accept that kind of flooring with formaldehyde. So, I just think it's very important to buy our products in America, so that we know they're safe, so that we can protect American jobs. 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, how could you not want to have products made in America? This going and buying Chinese stuff and from other countries, it goes back not only to one side of the aisle, but the other, but remember NAFTA. NAFTA turned around and the President said, "If it don't work, we'll change it."

Well, it didn't work, it hurt the working people of America and it was never changed. We got another fast track down there in Washington now looking out for history at the expense of the American people. It's time that the Democrats and the Republicans stopped hurting the working man of this country and start voting to make things in this country, in America. Thank you, Mr. Speaker.

The SPEAKER: The Chair recognizes the Representative from Jay, Representative Gilbert.

Representative **GILBERT**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House, buying American-made products whenever feasible makes good business sense. To me, it seems silly to say if we save a little money on a product but end up losing American jobs. I don't think I can say it any better than Abraham Lincoln: "If we purchase a ton of steel rails from England for \$20, then we have the rails and England has the money. But if we buy a ton of steel rails from an American for \$25, then America has the rails and the money."

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

Representative **TURNER**: Thank you, Mr. Speaker. Mr. Speaker, Men and Women of the House, it's not that we're opposed to buying American products. American products are very good, very sound, but they're not always available when we are doing business. And so, we need the flexibility and, in some cases, it does raise the cost astronomical. However, the Chief Executive does have an executive order that is already encouraging throughout the state government to do business with American products whenever feasible and possible. Thank you very much, Mr. Speaker.

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

Representative **HERBIG**: Thank you, Mr. Speaker. Mr. Speaker, Men and Women of the House, LD 407 is about leading by example. Our state should buy American in ever realistic opportunity. With American manufacturing still fighting to come back, one of the greatest efforts we can make is to ensure when government money is spent, it goes right back into our own economy.

We cannot just retain, but create good jobs by maximizing domestic content in our infrastructure investments. This has the potential to jumpstart Maine manufacturing and improve the overall health of our economy. Maine should no longer subsidize jobs in Beijing or Bangalore. Maine should reward American companies. We should reward Maine companies. Let's institutionalize common sense and fairness. Let's put our money where our mouth is. I urge you to support LD 407 because it's the right thing to do.

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. 87

YEA - Alley, Babbidge, Bates, Battle, Beavers, Beebe-Center, Blume, Brooks, Bryant, Burstein, Campbell J, Chapman, Chenette, Chipman, Cooper, Daughtry, Davitt, DeChant, Devin, Doore, Duchesne, Dunphy M, Evangelos, Farnsworth, Fecteau, Foley, Fowle, Frey, Gattine, Gerrish, Gideon, Gilbert, Golden, Goode, Grant, Hamann, Harlow, Herbig, Hickman, Hobart, Hogan, Hubbell, Hymanson, Jorgensen, Kornfield, Kruger, Kumiega, Lajoie, Longstaff, Luchini, Martin J, Martin R, Mastraccio, McCabe, McCreight, McLean, Melaragno, Monaghan, Moonen, Morrison, Nadeau, Noon, Peterson, Pickett, Pierce T, Powers, Rotundo, Rykerson, Sanborn, Saucier, Schneck, Shaw, Short, Skolfield, Stanley, Stuckey, Tepler, Theriault, Tipping-Spitz, Tucker, Verow, Warren, Welsh, Mr. Speaker.

NAY - Austin, Bickford, Black, Buckland, Campbell R, Chace, Corey, Crafts, Dillingham, Dunphy L, Edgecomb, Espling, Fredette, Gillway, Ginzler, Greenwood, Grohman, Guerin, Hanington, Hanley, Hawke, Head, Herrick, Higgins, Hilliard, Kinney J, Kinney M, Lockman, Long, Lyford, Maker, Malaby, McClellan, McElwee, Nutting, O'Connor, Parry, Picchiotti, Pierce J, Pouliot, Prescott, Reed, Sanderson, Sawicki, Seavey, Sirocki, Stearns, Stetkis, Sukeforth, Timberlake, Timmons, Tuell, Turner, Vachon, Wadsworth, Ward, White, Winsor, Wood.

ABSENT - Beck, Dion, Farrin, Hobbins, Marean, Russell, Sherman, Wallace.

Yes, 84; No, 59; Absent, 8; Excused, 0.

84 having voted in the affirmative and 59 voted in the negative, with 8 being absent, and accordingly the Majority **Ought to Pass as Amended Report was ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (H-141)** 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-141)** and sent for concurrence.

CONSENT CALENDAR

First Day

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

(S.P. 294) (L.D. 820) Bill "An Act To Amend and Clarify Certain Notice and Assessment Provisions of the Maine Condominium Act" Committee on **JUDICIARY** reporting **Ought to Pass**

(S.P. 74) (L.D. 199) Bill "An Act To Improve the Reporting of Child Abuse" Committee on **JUDICIARY** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-93)**

(S.P. 244) (L.D. 651) Bill "An Act To Amend Maine's Sex Trafficking and Prostitution Law" Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-96)**

(S.P. 251) (L.D. 693) Bill "An Act To Amend the Military Bureau Laws" Committee on **VETERANS AND LEGAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-97)**

(S.P. 281) (L.D. 807) Bill "An Act To Amend Maine's Threatened and Endangered Species List" Committee on **INLAND FISHERIES AND WILDLIFE** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-90)**

(S.P. 326) (L.D. 935) Bill "An Act Regarding Alcohol Manufacturing Licenses Issued to Research Facilities" Committee on **VETERANS AND LEGAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-98)**

(S.P. 393) (L.D. 1121) Bill "An Act To Fund the Cold Case Homicide Unit in the Department of the Attorney General" Committee on **JUDICIARY** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-92)**

(S.P. 397) (L.D. 1128) Bill "An Act To Make Minor Changes and Corrections to Statutes Administered by the Department of Environmental Protection" Committee on **ENVIRONMENT AND NATURAL RESOURCES** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-91)**

(S.P. 455) (L.D. 1273) Resolve, To Create a License Plate To Recognize the Bicentennial of the State Committee on **TRANSPORTATION** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-99)**

(H.P. 68) (L.D. 74) Resolve, To Establish a Task Force To Ensure Equity in the Benefits Provided to Military Service Members Committee on **VETERANS AND LEGAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-168)**

(H.P. 94) (L.D. 136) Bill "An Act To Clarify That the Medical Records of Applicants for Disability Variances Submitted to Municipal Boards of Appeal Are Not Public Records" Committee on **JUDICIARY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-163)**

(H.P. 149) (L.D. 206) Bill "An Act To Clarify Restrictions on Disclosure of E-9-1-1 System Information" Committee on **JUDICIARY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-165)**

(H.P. 316) (L.D. 477) Resolve, To Increase Funding To Support Peer Centers Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-160)**

(H.P. 376) (L.D. 552) Bill "An Act To Provide Funding for Home Visiting Services" Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-161)**

(H.P. 430) (L.D. 617) Bill "An Act To Change Municipal Campaign Contribution Limits" Committee on **VETERANS AND LEGAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-167)**

(H.P. 446) (L.D. 665) Bill "An Act To Establish a Block Grant Program for Homemaker Services" Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-162)**

(H.P. 611) (L.D. 892) Bill "An Act To Amend Certain Laws Affecting the Judicial Branch" Committee on **JUDICIARY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-164)**

(H.P. 638) (L.D. 919) Bill "An Act To Provide Access to Opioid Analgesics with Abuse-deterrent Properties" Committee on **INSURANCE AND FINANCIAL SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-159)**

(H.P. 680) (L.D. 985) Bill "An Act To Align Maine's School Marketing Law with Current Federal Food Standards" Committee on **EDUCATION AND CULTURAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-157)**

(H.P. 859) (L.D. 1259) Bill "An Act To Increase Consumer Protections" Committee on **JUDICIARY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-166)**

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

There being no objection, 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 as Amended** and sent for concurrence.

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

ENACTORS

Acts

An Act Regarding the Removal of Moorings and Floating Docks in Great Ponds During Ice-in Conditions

(H.P. 21) (L.D. 22)

(H. "A" H-137 to C. "A" H-34)

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 Expand the Scope of Practice for Denturists

(H.P. 327) (L.D. 488)

(C. "A" H-130)

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

On motion of Representative HERBIG of Belfast, was **SET ASIDE**.

On further motion of the same Representative, the rules were **SUSPENDED** for the purpose of **RECONSIDERATION**.

On further motion of the same Representative, the House **RECONSIDERED** its action whereby the Bill was **PASSED TO**

BE ENGROSSED as Amended by Committee Amendment "A" (H-130).

The same Representative **PRESENTED** House Amendment **"A" (H-169)** which was **READ** by the Clerk and **ADOPTED**.

The Bill was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (H-130)** and **House Amendment "A" (H-169)** in **NON-CONCURRENCE** and sent for concurrence.

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

UNFINISHED BUSINESS

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.

Bill "An Act To Allow Maine Residents To Personally Import Medications as Permitted under the Federal Food, Drug, and Cosmetic Act" (EMERGENCY)

(H.P. 968) (L.D. 1422)

(Committee on **HEALTH AND HUMAN SERVICES** suggested)
TABLED - May 19, 2015 (Till Later Today) by Representative McCABE of Skowhegan.

PENDING - **REFERENCE**.

Subsequently, the Bill was **REFERRED** to the Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT**, ordered printed and sent for concurrence.

REPORTS OF COMMITTEE

Ought to Pass Pursuant to Joint Order

Report of the **Joint Standing Committee on Environment and Natural Resources** on Resolve, Regarding the Department of Environmental Protection's Rule Chapter 500: Stormwater Management (EMERGENCY)

(S.P. 535) (L.D. 1427)

Reporting **Ought to Pass** pursuant to Joint Order 2015, S.P. 528.

Came from the Senate with the Report **READ** and **ACCEPTED** and the Resolve **PASSED TO BE ENGROSSED**.

Report was **READ** and **ACCEPTED**.

The Resolve was **READ ONCE**.

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

Under further suspension of the rules, the Resolve was **PASSED TO BE ENGROSSED** in concurrence.

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

CONSENT CALENDAR

First Day

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

(H.P. 537) (L.D. 788) Bill "An Act To Improve the Health of Maine Citizens and Safety of Pedestrians" Committee on **TRANSPORTATION** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-171)**

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

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

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

On motion of Representative WINSOR of Norway, the House adjourned at 12:27 p.m., until 10:00 a.m., Thursday, May 21, 2015.