

MAINE STATE LEGISLATURE

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

Daily Edition

Second Regular Session

beginning January 6, 2016

beginning at page H-1188

ONE HUNDRED AND TWENTY-SEVENTH LEGISLATURE
SECOND REGULAR SESSION
27th Legislative Day
Thursday, March 24, 2016

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

Prayer by Pastor Cathy Cantin, Bridgton United Methodist Church and Bradley Memorial United Methodist Church, Fryeburg.

Colors presented by Lake Region Vocational Center Color Guard, Naples.

National Anthem by Lake Region High School Band and Chorus, Naples.

Pledge of Allegiance.

Doctor of the day, Lisa Ryan, D.O., Naples.

The Journal of yesterday was read and approved.

Representative McCABE of Skowhegan assumed the Chair.
The House was called to order by the Speaker Pro Tem.

SENATE PAPERS

Bill "An Act To Establish a Presidential Primary System in Maine"

(S.P. 685) (L.D. 1673)

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

REFERRED to the Committee on **VETERANS AND LEGAL AFFAIRS** in concurrence.

Bill "An Act To Create Community Substance Abuse Programs"

(S.P. 686) (L.D. 1674)

Came from the Senate, **REFERRED** to the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** and ordered printed.

On motion of Representative FREDETTE of Newport, **TABLED** pending **REFERENCE** in concurrence.

Non-Concurrent Matter

Bill "An Act Regarding Recovery of Emergency Response Costs Related to an OUI Offense"

(S.P. 335) (L.D. 944)

Majority (11) **OUGHT NOT TO PASS** Report of the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** **READ** and **ACCEPTED** in the House on March 22, 2016.

Came from the Senate with that Body having **ADHERED** to its former action whereby the Minority (2) **OUGHT TO PASS AS AMENDED** Report of the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** was **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-390)** in **NON-CONCURRENCE**.

The House voted to **INSIST**.

Non-Concurrent Matter

RESOLUTION, Proposing an Amendment to the Constitution of Maine To Establish a Right to Food

(H.P. 532) (L.D. 783)

Majority (8) **OUGHT TO PASS AS AMENDED** Report of the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** **READ** and **ACCEPTED** and the RESOLUTION **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-526)** in the House on March 22, 2016.

Came from the Senate with the Minority (5) **OUGHT NOT TO PASS** Report of the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** **READ** and **ACCEPTED** in **NON-CONCURRENCE**.

The House voted to **INSIST**.

Non-Concurrent Matter

Bill "An Act To Eliminate the Maine Estate Tax"

(H.P. 1101) (L.D. 1622)

Minority (6) **OUGHT NOT TO PASS** Report of the Committee on **TAXATION** **READ** and **ACCEPTED** in the House on March 22, 2016.

Came from the Senate with the Majority (7) **OUGHT TO PASS AS AMENDED** Report of the Committee on **TAXATION** **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-567)** in **NON-CONCURRENCE**.

The House voted to **INSIST**.

Non-Concurrent Matter

Bill "An Act Relating to the Creation of Public-private Facilities and Infrastructure"

(H.P. 884) (L.D. 1298)

Majority (8) **OUGHT NOT TO PASS** Report of the Committee on **STATE AND LOCAL GOVERNMENT** **READ** and **ACCEPTED** in the House on March 22, 2016.

Came from the Senate with the Minority (5) **OUGHT TO PASS AS AMENDED** Report of the Committee on **STATE AND LOCAL GOVERNMENT** **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-575)** in **NON-CONCURRENCE**.

The House voted to **INSIST**.

COMMUNICATIONS

The Following Communication: (H.C. 492)

STATE OF MAINE
HOUSE OF REPRESENTATIVES
SPEAKER'S OFFICE
AUGUSTA, MAINE 04333-0002

March 24, 2016

Honorable Robert B. Hunt

Clerk of the House

2 State House Station

Augusta, Maine 04333

Dear Clerk Hunt:

Please be advised that pursuant to his authority, Governor Paul R. LePage has nominated the following:

On March 22, 2016

Dr. Carlann M. Welch of North Yarmouth

for appointment to the Maine Commission on Indigent Legal Services.

Pursuant to Title 4, MRSA §1803, this appointment is contingent on the Maine Senate confirmation after review by the Joint Standing Committee on Judiciary.

On March 23, 2016

David S. Stapp of Bremen

for appointment to the Efficiency Maine Trust Board.

Pursuant to Title 35-A, MRSA §10103, this appointment is contingent on the Maine Senate confirmation after review by the Joint Standing Committee on Energy, Utilities and Technology.

Sincerely,

S/Mark W. Eves

Speaker of the House

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

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

ORDERS

On motion of Representative BEAR of the Houlton Band of Maliseet Indians, the following Joint Order: (H.P. 1140)

ORDERED, the Senate concurring, that the Joint Standing Committee on Veterans and Legal Affairs shall report out, to the House, a Bill, "An Act To Alleviate Tribal Unemployment and Fund Critical Tribal Government Programs for Federally Recognized Tribes in the State by Exempting the Tribes from State Gaming Laws for Gaming Conducted on Tribal Lands Using 350 or Fewer Slot Machines and Located More than 80 Miles from an Existing Casino."

READ.

On motion of Representative BEAR of the Houlton Band of Maliseet Indians, **TABLED** pending **PASSAGE** and later today assigned.

On motion of Representative LONGSTAFF of Waterville, the following House Order: (H.O. 44)

ORDERED, that Representative Robert W. Alley, Sr. of Beals be excused March 22 for personal reasons.

AND BE IT FURTHER ORDERED, that Representative Bruce A. Bickford of Auburn be excused March 15 for health reasons.

AND BE IT FURTHER ORDERED, that Representative David P. Sawicki of Auburn be excused March 10 and 16 for personal reasons.

AND BE IT FURTHER ORDERED, that Representative Peter C. Stuckey of Portland be excused March 8, 9 and 10 for personal reasons.

AND BE IT FURTHER ORDERED, that Representative Gary E. Sukeforth of Appleton be excused March 9 for health reasons and March 15 for personal reasons.

READ and **PASSED.**

SPECIAL SENTIMENT CALENDAR

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

Recognizing:

Maine Maritime Academy, in Castine, which is celebrating its 75th Anniversary. Maine Maritime Academy, one of only six state maritime academies in the United States, was established on March 21, 1941 as the Maine Nautical Training School pursuant to an Act of the 90th Legislature and opened on October 9, 1941 with 23 students. By 1960 the academy's curriculum had

expanded to a four-year baccalaureate program, which was accredited by the New England Association of Schools and Colleges in 1971. Maine Maritime Academy provides a high-quality education focused on marine programs and related programs in engineering, science, management and transportation. It empowers students to take on leadership roles, encourages rigorous self-discipline, promotes curiosity and provides graduates with the skills, ethics and knowledge needed to succeed in the global economy. We extend to everyone at Maine Maritime Academy and the academy's 7,000 alumni around the world our congratulations on this anniversary;

(SLS 1022)

On **OBJECTION** of Representative CHAPMAN of Brooksville, was **REMOVED** from the Special Sentiment Calendar.

READ.

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

Representative **CHAPMAN**: Thank you Mr. Speaker, Friends and Colleagues in the House, I am fortunate to have, within the boundaries of my district in Hancock County, the town of Castine, home to the Maine Maritime Academy. *Money Magazine* publishes, each year, a listing of the country's Best Colleges, and for two years in a row has named the Maine Maritime Academy as the number one public college in America. One of the reasons for this high ranking is the very high placement rate for Maine Maritime Academy graduates: more than 90 percent have a job within 90 days of graduating. Many of these demanding jobs are at enviable pay scales.

Finally, of particular noteworthiness, are the leadership qualities visible in the students at the Academy, and we saw some of them here yesterday. I offer to help arrange a visit in my district for any legislator who would like to see this for yourself. I congratulate the Maine Maritime Academy on its 75th anniversary, and wish it continued success for the generations yet to come. Thank you, Mr. Speaker.

Subsequently, the Sentiment was **PASSED** in concurrence.

Recognizing:

the Lake Region High School Boys Basketball Team, of Naples, which won the 2016 Class B State Championship. This is the team's first state championship victory in 31 years. We extend to all the members of the team our congratulations and best wishes;

(HLS 1132)

Presented by Representative GINZLER of Bridgton.

Cosponsored by Senator HAMPER of Oxford, Representative POWERS of Naples, Representative AUSTIN of Gray, Representative McCLELLAN of Raymond, Senator DIAMOND of Cumberland.

On **OBJECTION** of Representative GINZLER of Bridgton, was **REMOVED** from the Special Sentiment Calendar.

READ.

The **SPEAKER PRO TEM**: The Chair recognizes the Representative from Bridgton, Representative Ginzler.

Representative **GINZLER**: Thank you, Mr. Speaker. Mr. Speaker and Colleagues in the House, I rise to congratulate the Lake Region High School Basketball Team and Coach John Mayo for their remarkable achievement in capturing the 2016 Class B State Championship, their first championship season since 1985.

I also rise to remind all of us who enjoy cheering for our local school sports teams, of the commitment and determination it takes to play and to win. I'm talking about the long, grueling hours of practice; the playing through pain and disappointment;

and the personal sacrifice of time away from family and friends to devote to the team and to the sport. Mr. Speaker, to the young men of Lake Region Class B Championship team, the legislators in this House today thank you for demonstrating to all of us that talent is great but commitment to a goal and the willingness to work hard for it makes all the difference. And Mr. Speaker, to the young men in the gallery today I would also say: Remember, remember in all your future endeavors what it took to make a championship team. Remember that moment of victory, memorize the feeling of accomplishment and pure joy when you were crowned champions, and call upon this memory when life is tough and success seems illusive, because now you know that you have what it takes to make it to the top. Thank you, Mr. Speaker.

The SPEAKER PRO TEM: The Chair recognizes the Representative from Naples, Representative Powers.

Representative **POWERS**: Thank you, Mr. Speaker Pro Tem, Men and Women of the House, I'd like to thank the good Representative from Bridgton, Representative Ginzler, for presenting this sentiment honoring the Lake Region High School Boys Basketball Team, this year's Class B Basketball Champions. I'm proud of their accomplishments of these young men on and off the court.

Mr. Speaker Pro Tem, you may have noticed there are a few more Lakers in the House today in addition to the basketball team. We have a lot of pride in the Lakes Region for our students and we're also proud of the hard working staff that coach and teach at Lake Region High School, Middle School, Vocational Center, and all of MSAD 61 schools. Today I get to celebrate Laker pride in so many ways, with the pastor who offered this morning's prayer, the doctor of the day, the LRVC Color Guard, the LRHS Band and Chorus, fire safety and law enforcement students, Girl Scout Troop 630, and students for Arts Advocacy Day. I even have my daughter's letter jacket on to celebrate Laker pride and all of the amazing Lakers. Thank you.

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

The SPEAKER PRO TEM: The Chair recognizes the Representative from Wells, Representative Foley, who wishes to address the House on the record.

Representative **FOLEY**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House, I'm honored to welcome the Wells-Ogunquit Boys Varsity Class B Basketball Team here today. While they were not successful in winning the Gold Ball—Congratulations to the Lakers—they did, however, earn a very important award and that award was the good sportsmanship award for Southern Class B. I applaud them on behalf of the community. I thank them. Job well done, Coach.

**REPORTS OF COMMITTEE
Ought to Pass as Amended**

Report of the Committee on **VETERANS AND LEGAL AFFAIRS** on Bill "An Act Regarding the Election Laws" (EMERGENCY)

(S.P. 582) (L.D. 1484)

Reporting **Ought to Pass as Amended by Committee Amendment "A" (S-350)**.

Came from the Senate with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-350) AND SENATE AMENDMENT "A" (S-359)**.

Report was **READ** and **ACCEPTED**. The Bill was **READ ONCE**. **Committee Amendment "A" (S-350)** was **READ** by the Clerk and **ADOPTED**. **Senate Amendment "A" (S-359)** 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-350)** and **Senate Amendment "A" (S-359)** in concurrence.

Divided Reports

Majority Report of the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-415)** on Bill "An Act To Authorize Increased Borrowing by the Maine Governmental Facilities Authority To Support the Maine Correctional Center in South Windham"

(S.P. 547) (L.D. 1447)

Signed:

Senators:

ROSEN of Hancock
BURNS of Washington
GERZOFKY of Cumberland

Representatives:

FOWLE of Vassalboro
DAVITT of Hampden
GERRISH of Lebanon
LAJOIE of Lewiston
LONG of Sherman
NADEAU of Winslow
THERIAULT of China
TIMMONS of Cumberland
WARREN of Hallowell

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "B" (S-416)** on same Bill.

Signed:

Representative:

CHENETTE of Saco

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-415)**.
READ.

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

The Bill was **READ ONCE**. **Committee Amendment "A" (S-415)** 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-415)** in concurrence.

Majority Report of the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-422)** on Bill "An Act To Reduce Electric Rates for Maine Businesses" (EMERGENCY) (S.P. 519) (L.D. 1398)

Signed:

Senators:

WOODSOME of York
HILL of York
MASON of Androscoggin

Representatives:

DION of Portland
BEAVERS of South Berwick
DeCHANT of Bath
DUNPHY of Embden
GROHMAN of Biddeford
HIGGINS of Dover-Foxcroft
O'CONNOR of Berwick
RYKERSON of Kittery
WADSWORTH of Hiram

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "B" (S-423)** on same Bill.

Signed:

Representative:

BABBIDGE of Kennebunk

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-422)**.

READ.

On motion of Representative DION of Portland, the Majority **Ought to Pass as Amended** Report was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (S-422)** 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-422)** in concurrence.

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

Majority Report of the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-596)** on Bill "An Act To Amend Maine's Genetically Modified Food Products Labeling Law"

(H.P. 686) (L.D. 991)

Signed:

Senators:

EDGEComb of Aroostook
DILL of Penobscot
SAVIELLO of Franklin

Representatives:

BLACK of Wilton
EDGEComb of Fort Fairfield

KINNEY of Knox
MAREAN of Hollis
McELWEE of Caribou

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "B" (H-597)** on same Bill.

Signed:

Representatives:

HICKMAN of Winthrop
CHAPMAN of Brooksville
DUNPHY of Old Town
McCABE of Skowhegan
SAUCIER of Presque Isle

READ.

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

The SPEAKER PRO TEM: The Chair recognizes the Representative from Old Town, Representative Dunphy.

Representative **DUNPHY**: Thank you Mr. Speaker, Women and Men of the House, I submitted this legislation because I care about how I eat, and how I feed my family. Too often, we take for granted the food we eat, and with the rapid advances of science and technology, much of our food today is grown and produced using genetic modifications.

Genetically modified organisms are very new and we don't fully understand yet the implication of the use of GMO's as they pertain to our health and wellbeing. I'm not against scientific advances, and I believe GMO's offer promise. I'm not opposed to GMO's. Simply, I believe that all Maine citizens have the right to know what they're eating, and strangely, that seems controversial. My proposal asks that food containing GMO's be labeled as such in the grocery store. There's a reason companies like Campbell's soup, General Mills, Mars are now voluntarily labeling their products. Consumers want this and they're demanding this.

I appreciate all the work that's gone into this legislation, and I also appreciate the discussion in my committee about the challenges facing farmers as they try to feed a growing world population. But I keep going back to the original premise of the legislation; we're not asking to regulate the use of GMO's, or for the prohibition against their use. We're only asking to label GMO's. If we are divided on this issue, it may be that it's time to ask the public how they feel, and I will be satisfied with any result; but send it to the voters and let them have their final say. Mainers deserve the right to know what they're eating and feeding their families, and I ask you to support the pending motion. Thank you.

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

Representative **FREDETTE**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House, this is a bill that we worked on in the last session and at the time, this was a sort of an issue that was just coming to the forefront in the nation, and as a compromise to passed legislation last session, there was a provision in this bill that required that all our neighboring states, essentially New England states, be part of a pact in regards to having GMO labeling. And then we come forward today and, you know, we're asking to sort of change the deal.

And my fear is, is that we put Maine on an island that way. And what I mean by that is, you know, we have 1.3 million people here in Maine and we're asking for manufacturers who are printing labels nationwide to have some sort of special label just for Maine. And I don't want to put Maine at a competitive

disadvantage. I suspect you're going to start seeing over time, just by the natural process of time, and by people's interest in this issue, that you will see more GMO labeling over time. I think you're even seeing it at the markets today. But what my concern is, is that by passing this particular bill, we're going to put Maine in a bad position, and certainly something inconsistent with what I think we voted on, not only two years ago. And so, I will not be supporting the pending motion and I'd ask that you follow my light. Thank you, Mr. Speaker.

Representative GIDEON of Freeport **REQUESTED** a roll call on the motion to **ACCEPT** the Minority **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 PRO TEM: The Chair recognizes the Representative from Wilton, Representative Black.

Representative **BLACK**: Thank you, Mr. Speaker, Men and Women of the House, I rise in opposition to the Minority Report. The issue of GMO labeling has moved forward in exciting ways since Maine passed landmark legislation in 2014. The Maine Legislature leadership on this issue, along with Connecticut's, in crafting legislation that recognizes the issue has moved us closer to both a national regulatory solution, and more importantly, a market solution.

When the ACF Committee first conducted hearings on this issue and then debated the merits of GMO labeling, there was very little unsaid about the cost to industry, retail, and consumers. But let us recall that far from convincing this body from acting on mandating a label on GMO-derived products, the concern about the cost to Maine farmers, producers, distributors, retailers, and most importantly, Maine consumers, has led directly to the federal process that we now see playing out in Washington today.

We were correct in 2014 to broaden the burden on the marketplace to the rest of New England. At the same time, some of our nation's largest, oldest, and most prestigious food companies have adopted to label their products that contain certain GMO derived ingredients. The marketplace is clearly responding to consumers' demand, as well as real reasoned, legislative prodding. All these companies are united in their support for a national solution, not a patchwork of individual state regulations.

The Majority Report would keep Maine's GMO labeling law intact now and move out the repeal date from 2018 to 2022. We sincerely believe that this is a reasonable compromise and ask you to support the Majority Report. And could we have the Committee Report read?

The same Representative **REQUESTED** that the Clerk **READ** the Committee Report.

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

The SPEAKER PRO TEM: The Chair recognizes the Representative from Westbrook, Representative Bates.

Representative **BATES**: Thank you Mr. Speaker. Mr. Speaker, Men and Women of the House; I rise briefly today in support of the motion, and to attempt, in some small way, to bring a voice to the 97 percent of Mainers that support the right to know if there are genetically modified organisms in their food.

You heard that number correctly. Ninety-seven percent. So, to give you a little context, that is a higher approval rating than the very controversial subjects, like the Easter Bunny, Golden Retrievers, and yes, even Tom Brady. This level of approval is completely unfathomable, especially in this current political division and divisive time in our country. So, you ask, where then, might this three percent come from?

And the answer, unfortunately, is from large agri-business in the Midwest, and their allies. Monsanto comes to mind. But these are the same reasons that we have ethanol in our gasoline. The nexus of this industry refusal to label foods containing GMO's begins and ends right in the area of the Iowa caucus. They all claim everything is fine, and that there is nothing to hide. But, I would ask you, Mr. Speaker, if there truly is nothing to hide, then what is the opposition?

Luckily for us, in Maine, we need not bend to the crony capitalism that has DC in a stranglehold on this issue. Let's take a stand for Maine families, and guarantee them a choice. Let's trust our families and our citizens. Let's send this out to the voters in the fall, and allow the people decide if they should have a right to know what's in their food. Let's trust our citizens to determine how they feed themselves and their families. They deserve that liberty. Thank you, Mr. Speaker.

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

Representative **RUSSELL**: Thank you, Mr. Speaker. Mr. Speaker, Men and Women of the House, this is actually, as I read the amendment, this is actually a really simple bill. Essentially, it seems to send it out to the people to ask them if they would like to move forward on labeling products. So, where I stand, this is not going into the State Constitution. This is going into statute, meaning that if something happens down the line, we would be in a position to change that. But, I think this is a pretty straightforward amendment as I read it here, that basically says that if the people of Maine decide that they would like to know what is in their food as it relates to genetically modified food, that they have the right to be able to do that.

So, I think this question just needs to go to the people and let them decide. If we're really nervous about what the people have to say about this, then maybe we should reconsider outright whether or not we should just pass a bill that moves well beyond the five state compact and just does it outright. But, I think that the people of Maine are going to be with us. I give good props to the good Representative from Old Town for bringing this forward because, you know, we've done a lot of good work on GMO labeling in the past. We do see, though, that there's a big push back across the states as to whether or not other states are ready to lead like Maine has. Let our people decide this one. We have quite a few ballot initiatives on the ballot this fall and I think we're going to have a lot of people in a presidential election year who are well-primed to make a decision as to whether or not they want GMO labeling.

I'm happy to know when something's organic. It doesn't necessarily mean that I'm going to pay a premium for organic food because I can't always afford it. The end of the day, the marketplace will decide, but before then I think we should let the people of Maine decide what they want labeled on their food. So, I rise in support of this pending motion and if you support the people's right to know, I hope you'll vote in support of it.

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

Representative **KINNEY**: Thank you, Mr. Speaker, Men and Women of the House, Maine has done, and continues to do, its part to move the nation and marketplace. This body took the action it did just two years ago because it was determined the goal of enabling Maine consumers the right to know the process by which their food arrives on the grocery store shelves, should not also place Maine consumers at a financial disadvantage.

We knew that gaining the support of the other states necessary to make our law effective could take some time. But we are now so close to bypassing our well-considered regional approach and seeing national legislation, and/or regulation, on

this issue that losing patience now can only hurt the most vulnerable of Maine's consumers and will have no real effect on the desired end result of a national labeling policy. The market is now moving ahead of state legislation and the federal government is moving in Maine's direction. It took national legislation to get our nutrition facts labeling as well and GMO labeling will occur.

I'm not opposed to GMO labeling, which is why I submitted my own amendment to make sure we're not placed on an island, more so than we already are, as an end-of-the-line state. Believe me, I know how difficult it was when I was driving a big truck to get loads home or back out across the nation. This compromise is a win for all. Thank you.

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

Representative **TIMBERLAKE**: Thank you, Mr. Speaker Pro Tem, I stand in opposition to the pending motion. Ladies and Gentlemen, I won't mention the island because everybody already has, everybody's stealing my lines now. We worked hard when we passed this legislation in this bill to find a compromise that would work for all of us. And it was an amendment that we worked out that we put on that bill that moved this bill forward with five contiguous states.

I think that when we did that, we sent a great message to Washington and to our delegation in Washington. And that we've created a great discussion going on in Washington, DC, today. I have said all along, this is not a state problem, this is a federal problem and the feds need to fix it. And I think you see, by the message that we've sent, and other states around the country have sent, that they're getting the message. They're working on it. They're going to come up with a solution in the future.

If we could vote this motion down and we move to the Majority Report, we would move forward with the continuation that we had before. And if we think that sending everything to the voters to vote on, why are we here? The people have elected us to come here and represent them, to listen to these bills, to listen to the argument that's being made, and then vote on it. You know, if we're going to run the state by referendum, then folks, we don't need to waste their money and be here. We have a job to do. Let's do our job. Thank you very much.

The SPEAKER PRO TEM: The Chair recognizes the Representative from the Houlton Band of Maliseet Indians, Representative Bear.

Representative **BEAR**: Mr. Speaker, Ladies and Gentlemen of the House, observing the goings on this morning, I'm inclined to rise and urge you to support the pending motion and not pass this. It's not, in my view, something that we should risk, that might cause inconvenient in terms of having to label more specifically in this market in the State of Maine.

But, we're talking about credible people—after I listened to the Report being read—on both sides of this issue, people who we all trust, evenly split, nearly evenly split on this. And that's enough in my view, unless the GMO food was only being eaten in this body, that we should send the question out to all the people who will be subject to the same food risk. So, I would disagree with the good Member who just spoke, and the one before from the corner over there, and I would say that this is too much of a risk. We're all pretty familiar with the images of tumors and rats and how creatures in nature will avoid GMO produced foods.

And there's a lesson there: we observe in creation that which is safe for us and that which is dangerous for us and we need to follow their lead and avoid, perhaps, this type of food production and genetic modification. I say trust nature. We need to follow our instincts, however many layers we have to peel off to become more instinctive in our behavior. We need to have a sniff test for

food, if possible. Now, with canning and now with these labels to mask our foods, it takes us one step further away from ensuring our food is safe. So, I would urge supporting. I would urge that we give this to the people as a whole to vote on because they're the ones—not a two or three vote difference in a committee before us, but they're the ones that will be subject to the huge risk, if it's correct, that this is dangerous of this law passing. Thank you.

The SPEAKER PRO TEM: The Chair recognizes the Representative from Fort Fairfield, Representative Edgecomb.

Representative **EDGEComb**: Thank you, Mr. Speaker. Mr. Speaker, Men and Women of the House, I rise in opposition to the pending motion and I would just like to say that just like organic food is labelled "organic," we can label non-GMO food, "non-GMO." To me, this is putting the burden on the people that are having GMO products, when they could put the burden on themselves and label it non-GMO so that the people know that they're buying a product that is non-GMO. I believe this is a truly federal issue and our amendment that we put forward allows time for Washington to work this out and I believe that's the way that we should go about it. Thank you.

The SPEAKER PRO TEM: The Chair recognizes the Representative from Embden, Representative Dunphy.

Representative **DUNPHY**: Thank you, Mr. Speaker. Mr. Speaker, I heard that this is a federal issue and I disagree. I'm a firm believer in state's rights and I think that in this case, we do need to represent our constituents. We don't need to represent the farm lobby, we don't need to represent large business, we need to represent our constituents and we need to maintain the state's rights. The government, in my opinion, has been poisoning us for a long time and will continue to poison us and we need to take that control back to our states.

The voters do send us here to represent them and I've received a number of phone calls and emails asking me to support this amendment. So, that being said, I'm going to do exactly that. I'm going to try to maintain states' rights and I'm going to make every effort to represent the constituents who sent me here, not the lobbyists in the hall. Thank you, sir.

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

Representative **HICKMAN**: Thank you, Mr. Speaker. Mr. Speaker, Women and Men of the House, I rise in support of the pending motion. I was a part of the committee that worked out the compromise and everyone in the room knew we would come back this year and put in a bill to try to remove the trigger.

I would like to just read an excerpt, a small excerpt of the testimony that was presented to our committee by Jerry Greenfield, co-founder of Ben & Jerry's, which I believe everyone in here knows of. "New England is leading the way on this issue, and I would urge you to join Vermont in passing legislation requiring mandatory labeling of genetically engineered food without a trigger.

"Now, let me spend a couple minutes talking about packaging, and why opponents of labeling who suggest that it will raise food prices are simply wrong. Let me give you a little background on how we manage packaging at Ben & Jerry's, which I hope will help you understand why a small label change, like LD 991 contemplates, would not be an onerous one.

"The overwhelming majority of Ben & Jerry's packaging buy is for our pint business. We have about 50 different SKUs in our portfolio at any given time. Every year, we drop a few flavors and add a few more. There are a number of reasons why food companies would make changes to their packaging. From the ever evolving regulatory landscape to allergen concerns,

ingredient and formula changes, new marketing claims, as well as up- dates to a brand's look and feel.

"As a food company, we regularly make changes, sometimes big, sometimes small, to our packaging. In fact, every year, we make changes to between 25 and 50 percent of our packaging. Over the last seven years, we have gone through three full line redesigns. That's changing every single pint in our line.

"For food companies, evolving packaging is just one part of doing business. At Ben & Jerry's we manage our packaging inventory very closely, so that as our packaging evolves, we can do it without having to write off out of date packaging.

"There are risks to food businesses in sitting on large inventories of packaging. In 2013, we achieved Fairtrade certification across our entire product line of flavors. And so we added the Fairtrade mark to all of our pints. It was a rolling transition for our pints as we phased in the Fairtrade-certified ingredients and then added the claim to our packaging. As we went through this process, for our top selling flavors, we were literally ordering packaging on a weekly basis. For our second tier flavors, we were ordering packaging every three weeks. The important point to mention here, is that this change to every single pint package in our line, of adding the Fairtrade certification mark was not a cost that passed through to consumers. It did not impact our pricing at all.

"There are a number of things that could potentially impact the cost of our products, first and foremost dairy prices. And while there are a variety of things that can impact the price a consumer pays at retail for a pint of Ben & Jerry's ice cream, small changes in our packaging is not one of them."

And so, Mr. Speaker, that is the rest of the testimony. I will say that our committee did actually talk about price to the consumer and Ben & Jerry's testimony was convincing. And for that reason, this notion that having a company change the label on a food to tell people what is in the food will raise the price is patently false. And for that reason, I think we should vote to send this amendment to the people and let them have the final say. Thank you.

The SPEAKER PRO TEM: The Chair recognizes the Representative from Hallowell, Representative Warren.

Representative **WARREN**: Thank you, Mr. Speaker. Mr. Speaker, Women and Men of the House, Mainers overwhelmingly support the right to know if the food they put on the dinner table every night contains genetically modified organisms. Sixty-seven countries that represent 65 percent of the world's population have already embraced transparency through GMO labeling.

Maine is ready to lead the nation and adopt this commonsense requirement to ensure that we have a choice in the types of food we decide to feed our families. Maine parents want to know if the food they are feeding to their children contains GMO's and the pesticides that accompany them. The motion on the floor sends to Maine voters an important decision, a decision whether foods distributed in Maine include a label if genetically modified organisms were used to produce the final product.

In 2013, this Maine Legislature passed a bipartisan law that would require labeling for foods that contain genetically modified organisms, but only if five contiguous states passed a similar requirement first—and I put emphasis on contiguous. This effectively allows Maine to be held hostage on this issue until New Hampshire decides to pass a similar law. A 2015 poll showed that 97 percent of Mainers support the right to know if the foods they choose to eat contain genetically modified organisms. This issue, the right to know if our food has been genetically engineered to withstand massive doses of pesticides, is not a left

or a right, a Republican or a Democratic issue. It's not a Libertarian or Independent or Green Party issue. And it should be sent to the voters.

Consumers in Maine are no longer willing to sit by while corporations make us unwitting subjects of their risky science experiments. We're no longer willing to sit quietly by while corporations hide ingredients at the expense of our health and the health of our planet. And Maine people are no longer willing to sit idly by and wait for New Hampshire to catch up to us because that's what keeping the trigger in Maine's GMO labeling law really means: that New Hampshire has veto power over Maine lawmakers' decisions. No state should have the veto power over the decisions we make here in this Legislature. Maine people want GMO labeling and they want it now. It is for all of these reasons that I ask you to please join me in supporting this motion to send this issue to Maine voters. Thank you, Mr. Speaker.

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

ROLL CALL NO. 513

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

NAY - Austin, Battle, Bickford, Black, Buckland, Campbell R, Chace, Corey, Crafts, Dillingham, Edgecomb, Espling, Farrin, Foley, Fredette, Gerrish, Gillway, Ginzler, Greenwood, Guerin, Hanington, Hawke, Head, Herrick, Higgins, Hilliard, Hobart, Hubbell, Kinney J, Kinney M, Lockman, Long, Lyford, Maker, Malaby, Marean, McClellan, McElwee, Nutting, O'Connor, Parry, Picchiotti, Pickett, Reed, Seavey, Sherman, Sirocki, Skolfield, Stearns, Stetkis, Timberlake, Timmons, Tuell, Turner, Vachon, Wallace, White, Winsor, Wood.

ABSENT - Grohman, Hanley, Kumiega, Ordway, Pierce J, Sanderson, Theriault.

Yes, 85; No, 59; Absent, 7; Excused, 0.

85 having voted in the affirmative and 59 voted in the negative, with 7 being absent, and accordingly the Minority **Ought to Pass as Amended** Report was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "B" (H-597)** 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 "B" (H-597)** and sent for concurrence.

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

Majority Report of the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-599)** on Bill "An Act To Continue To Provide Group Exemption Passes to State Parks for Persons with Disabilities"

(H.P. 1075) (L.D. 1584)

Signed:

Senators:

DILL of Penobscot
SAVIELLO of Franklin

Representatives:

HICKMAN of Winthrop
CHAPMAN of Brooksville
DUNPHY of Old Town
McCABE of Skowhegan
McELWEE of Caribou
SAUCIER of Presque Isle

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

Signed:

Senator:

EDGECOMB of Aroostook

Representatives:

BLACK of Wilton
EDGECOMB of Fort Fairfield
KINNEY of Knox
MAREAN of Hollis

READ.

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

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

Representative **FREDETTE**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House, when you read some of these bill titles as we go through the end of session on these busy days, it's really easy to look at a bill title and say, "Who can be against that?" And if you look at this bill title on this particular bill, "An Act To Continue To Provide Group Exemption Passes to State Parks for Persons with Disabilities," you would say, "How could anybody vote against that?" Correct? That would be my read on it.

Although, my understanding is, is that this was an issue that was raised by one of our members in our caucus in regards to some parking issues, which, as a result of this particular bill coming forward, the department, the department in question, went and recognized what the issue was that was being raised and addressed that issue. And to the extent that the Department acted in a responsible way—and my understanding is, has responded to the issue raised by the bill, I continue to believe that we don't need a bill on every single issue, to resolve issues here in the State of Maine. We have agencies, we have agency rules, we have commissioners, we have the Executive Branch, and there's ways to get things done. We don't need to continue to regulate, regulate, regulate, and regulate everything in the State of Maine so that there's no discretion.

And I think in this particular instance, the commissioner took appropriate actions on this. That's my understanding. I believe that is something that can continue to be worked through the agency. I support the work of the agency. And to that extent, I am not going to support the current motion on the floor and, Mr. Speaker, I request a roll call.

The same Representative **REQUESTED** a roll call on the motion to **ACCEPT** the Majority **Ought to Pass as Amended** Report.

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

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

Representative **KINNEY**: Thank you, Mr. Speaker. Mr. Speaker, Men and Women of the House, I stand in opposition to the pending motion. The Department was dealing with abuse of the passes. With the Department cancelling all the passes, a discussion ensued, this bill was brought forward, and within two months the Department reinstated the program by allowing access all days of the week as long as the park is not already at capacity.

Previously the passes were allowed only on weekdays. Unfortunately the Department's reinstatement letter was sent the day before the public hearing and thus the letters were not received by the organizations before the hearing. The ACF Committee, however, did have the letter of reinstatement and is why we have a Divided Report. We heard testimony that the groups would still use the parks on low attendance days—weekdays—because they often travel quite a distance to the parks and wouldn't want to be turned away due to being at capacity.

The Department is tasked with making sure the State Parks are available to all visitors regardless of physical or mental abilities, and by adjusting the rules, they have made sure all visitors have access to our beautiful parks. We should not tie the hands by making statutory laws that are unnecessary. Thank you, Mr. Speaker.

The SPEAKER PRO TEM: The Chair recognizes the Representative from Wilton, Representative Black.

Representative **BLACK**: Thank you, Mr. Speaker, Men and Women of the House, I rise in opposition to this motion before us. The department stopped issuing permits, free passes, to these groups because they had issues with overcrowding at certain times and were unable to handle the overbooking and parking and other issues. Since that time, they have evaluated and looked the program over. They have sent out a letter to these groups and told these groups that they are reinstating the policy with a few guidelines. And I think we need to allow the Department to do their work and not micromanage the Department. Thank you, Mr. Speaker.

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

Representative **TUELL**: Thank you, Mr. Speaker, I rise in support of the pending motion. I presented this bill. I was made aware of the situation in early January of this year. A group, a series of providers that assist folks with physical and intellectual disabilities, made me aware of this issue that at the end of December of last year, the Department had decided to send out a letter to discontinue the park pass program for said organizations.

At that time, I reached out to my legislative aide in an effort to get in touch with the Department to resolve the issue without a bill. Yet, a bill came forward nonetheless because the issue did not resolve prior to the end of January. So, the bill was scheduled for a public hearing and the day the public hearing was scheduled, the Department reversed its decision. At which time, we presented the bill. The committee asked some very serious, very direct questions. I'm thankful that the Department changed their decision and has, as others have mentioned, expanded on previous offerings. I understand that the Department has some concerns on parking. What this Report before us does is put rules into place that say, "If you're going to

change what you're doing, you let people know about it one day before you decide you're going to make that change." Thank you, 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 PRO TEM**: The Chair recognizes the Representative from Winthrop, Representative Hickman.

Representative **HICKMAN**: Thank you, Mr. Speaker, I want to thank the good Representative from East Machias for bringing this issue before us and for standing his ground today. I just want to clarify, this is not a regulation or a regulation or a regulation. This is our body doing its constitutional duty to oversee the Executive Branch and the implementation of what we put before it to enact. This requires that the Department write rules so that the organizations that would be affected by any change in this program going forward know exactly what will be coming before they get a letter a day before.

Even when they rescinded the stoppage of this program, the letter was unclear and the organizations that testified in favor of having this rulemaking go through said very clearly that they still don't know how this program will be implemented. I should also say the Department admitted, before our committee on mic, that they have no idea how many of these exemption passes are actually used, so they have no idea what the revenue loss is, and that they do not actually monitor this program very well internally at all. Requiring the Department to write these rules will require that they get their act together and put these before the people so we all know what they're doing in the light of day. Thank you, Mr. Speaker.

The **SPEAKER PRO TEM**: The Chair recognizes the Representative from Weld, Representative Skolfield.

Representative **SKOLFIELD**: Thank you, Mr. Speaker, I had a career in the park service and I know exactly what this is all about. I feel it unfortunate the Department did not respond to the Representative from Machias. They should have. That's an unfortunate experience. I think that they, in a sense, should be chastised for that. I don't believe you should throw the baby out with the bath water and cause this to be a regulation that we have to mandate for that department. I think we should continue to let that department manage its affairs.

And I find it a little uncomfortable when Representative Hickman noted that they do not know the numbers. They should know the numbers. I was in the field for years. We took lots of records and I believe that this body needs to tell that department that they need to shape up. However, I don't believe that they should be required to go through in this manner. Thank you, Mr. Speaker.

The **SPEAKER PRO TEM**: 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. 514

YEA - Alley, Babbidge, Bates, Beavers, Beck, Beebe-Center, Blume, Brooks, Bryant, Burstein, Campbell J, Campbell R, Chapman, Chenette, Chipman, Cooper, Daughtry, Davitt, DeChant, Devin, Dion, Doore, Duchesne, Dunphy M, Evangelos, Farnsworth, Fecteau, Fowle, Frey, Gattine, Gideon, Gilbert, Golden, Goode, Grant, Grohman, Hamann, Harlow, Herbig, Hickman, Hobbins, Hogan, Hubbell, Jorgensen, Kornfield, Kruger, Lajoie, Longstaff, Luchini, Maker, Martin J, Martin R, Mastraccio, McCabe, McClellan, McCreight, McElwee, McLean, Melaragno, Monaghan, Moonen, Morrison, Nadeau, Peterson, Picchiotti, Pierce T, Powers, Rotundo, Russell, Rykerson,

Sanborn, Saucier, Schneck, Short, Stanley, Stuckey, Tepler, Tipping-Spitz, Tucker, Tuell, Verow, Warren, Welsh, Mr. Speaker.

NAY - Austin, Battle, Bickford, Black, Buckland, Chace, Corey, Crafts, Dillingham, Dunphy L, Edgecomb, Espling, Farrin, Foley, Fredette, Gerrish, Gillway, Ginzler, Greenwood, Guerin, Hanington, Hanley, Harrington, Hawke, Head, Herrick, Higgins, Hilliard, Hobart, Hymanson, Kinney J, Kinney M, Lockman, Long, Lyford, Malaby, Marean, Nutting, O'Connor, Parry, Pickett, Pierce J, Pouliot, Prescott, Reed, Sanderson, Sawicki, Seavey, Sherman, Sirocki, Skolfield, Stearns, Stetkis, Sukeforth, Timberlake, Timmons, Turner, Vachon, Wadsworth, Wallace, Ward, White, Winsor, Wood.

ABSENT - Kumiega, Ordway, Theriault.

Yes, 84; No, 64; Absent, 3; Excused, 0.

84 having voted in the affirmative and 64 voted in the negative, with 3 being absent, and accordingly the Majority **Ought to Pass as Amended Report was ACCEPTED.**

The Bill was **READ ONCE. Committee Amendment "A" (H-599) 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-599)** and sent for concurrence.

Majority Report of the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** reporting **Ought Not to Pass** on Bill "An Act To Upgrade the Concealed Handgun Permit Law"

(H.P. 557) (L.D. 823)

Signed:

Senators:

ROSEN of Hancock
BURNS of Washington
GERZOFISKY of Cumberland

Representatives:

FOWLE of Vassalboro
DAVITT of Hampden
GERRISH of Lebanon
LAJOIE of Lewiston
LONG of Sherman
NADEAU of Winslow
THERIAULT of China
TIMMONS of Cumberland
WARREN of Hallowell

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "B" (H-595)** on same Bill.

Signed:

Representative:

CHENETTE of Saco

READ.

On motion of Representative FOWLE of Vassalboro, the Majority **Ought Not to Pass Report was ACCEPTED** 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-593)** on Bill "An Act To Conform Maine Law to the Requirements of the American Dental Association Commission on Dental Accreditation"

(H.P. 1037) (L.D. 1514)

Signed:
Senator:
PATRICK of Oxford

Representatives:
HERBIG of Belfast
AUSTIN of Gray
BATES of Westbrook
CAMPBELL of Newfield
FECTEAU of Biddeford
GILBERT of Jay
LOCKMAN of Amherst
MASTRACCIO of Sanford
STETKIS of Canaan

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "B" (H-594)** on same Bill.

Signed:
Senators:
VOLK of Cumberland
CUSHING of Penobscot

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.

**CONSENT CALENDAR
First Day**

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

(S.P. 663) (L.D. 1636) Bill "An Act To Amend the Laws Relating to Endangered and Threatened Species" Committee on **INLAND FISHERIES AND WILDLIFE** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-421)**

(H.P. 600) (L.D. 881) Bill "An Act To Allow the Public Utilities Commission To Contract for Liquefied Natural Gas Storage and Distribution" Committee on **ENERGY, UTILITIES AND TECHNOLOGY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-600)**

(H.P. 1092) (L.D. 1601) Bill "An Act To Implement the Recommendations of the Task Force To Ensure Integrity in the Use of Service Animals" Committee on **JUDICIARY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-590)**

(H.P. 1103) (L.D. 1624) Bill "An Act To Eliminate Inactive Boards and Commissions" Committee on **STATE AND LOCAL GOVERNMENT** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-598)**

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

There being no objection, the Senate Paper was **PASSED TO BE ENGROSSED as Amended** in concurrence and the

House Papers were **PASSED TO BE ENGROSSED as Amended** and sent for concurrence.

(H.P. 1104) (L.D. 1625) Bill "An Act To Implement the Recommendations of the Commission To Strengthen and Align the Services Provided to Maine's Veterans by Requiring the University of Maine System To Provide Supportive Services to Student-veterans" Committee on **EDUCATION AND CULTURAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-591)**

On motion of Representative GIDEON of Freeport, was **REMOVED** from the First Day Consent Calendar.

The Unanimous Committee Report was **READ**.

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

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.

HOUSE DIVIDED REPORT - Majority (10) **Ought Not to Pass** - Minority (2) **Ought to Pass as Amended by Committee Amendment "A" (H-589)** - Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** on Bill "An Act To Support Maine's Working Families"

(H.P. 455) (L.D. 674)

TABLED - March 23, 2016 (Till Later Today) by Representative ESPLING of New Gloucester.

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

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

The **SPEAKER PRO TEM**: The Chair recognizes the Representative from Gray, Representative Austin.

Representative **AUSTIN**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House, good afternoon. If you recall, last Thursday, we debated a People's Alliance initiative on minimum wage in this chamber. And we debated that wage bill going to the Labor, Commerce, Research, and Economic Development Committee. The debate centered on the bill receiving full vetting on that bill by the committee and by the opportunity of more public input. That failed. Today, we have before us LD 674, "An Act To Support Maine's Working Families." This was a carryover bill in LCRED from last session. It is a concept draft that proposes to explore proactive strategies to raise wages in the state, improve working conditions, increase predictability of scheduling, and improve the overall economic security of Maine working people.

Now, Mr. Speaker, I would ask you if that does not sound like a really good title. Why in the heavens name would we want to kill this bill? While we acknowledge the work of the Maine People's Alliance and the initiative that was accepted, our committee did, as I expressed to you last week, a great deal of work with our businesses in Maine, with the Maine Chambers, with our service industries, our tourism associations. This title, along with all of that documentation is just perfect to complement the opportunity for our committee to offer a minimum wage option that is a major strategize wage in this state that will improve

working conditions while increasing predictability for the people that hire them and to promote overall improvement for economic security. What more could we ask for?

All this, while offering the Maine peoples the opportunity of choice at the ballot box in November. Please stand with me to move this bill to be able to attach the amendment. This bill can, in a most positive, positive manner achieve what this bill had set as its original mission last year. And again, it will give all Maine people a choice on the referendum, at the ballot box. Thank you, Mr. Speaker.

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

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

The SPEAKER PRO TEM: The Representative may pose his question.

Representative **BATTLE**: I'm sorry, sir, what does the bill say?

The SPEAKER PRO TEM: 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 Belfast, Representative Herbig.

Representative **HERBIG**: Thank you, Mr. Speaker. Mr. Speaker, Men and Women of the House, the bill was a concept draft that was put in last session. Its original intent was to, perhaps, respond to mill closures. However, it was decided in agreement between myself and the Senate Chair that we would just move Ought Not to Pass on this bill and let it go because the bill wasn't needed. We had addressed the issues that we thought with other bills.

The SPEAKER PRO TEM: The Chair will remind all Members that you may not reference actions of the other body or members of the other body to persuade debate in this chamber.

The Chair advised all members that it is inappropriate to refer to the potential action of the other body in order to influence the vote of the House.

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

Representative **FREDETTE**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House, I'm recalling the debate that the good Representative from Gray indicates on the alternative minimum wage debate that we had last week and I believe one of the comments that was made was that we didn't meet our responsibility. The Legislature had not met its responsibility and, therefore, we had to defer to the citizens' initiative.

Well, it would appear to me, at least even from the good words of the good Representative from Belfast, Representative Herbig, that this bill was intended to respond in some way to mill foreclosures or whatnot. But, in fact, my understanding was that the bill was intended to be...

The SPEAKER PRO TEM: The Representative will defer. The Chair recognizes the Representative from Freeport, Representative Gideon.

Representative **GIDEON**: Thank you, Mr. Speaker. Mr. Speaker, I just rise to inquire whether the good Representative from Newport is speaking about the Report in front of us right now.

On **POINT OF ORDER**, Representative GIDEON of Freeport asked the Chair if the remarks of Representative FREDETTE of Newport were germane to the pending question.

The SPEAKER PRO TEM: The Chair will remind all Members, what we are discussing at this time is a Majority Ought Not to Pass Report on LD 674, which is in regards to a concept

draft, which has been referenced by committee chair. So the Chair would request that all Members focus comments to that bill and the Chair will be listening to those comments at they relate to the motion that's before us.

The Chair reminded all members to stay as close as possible to the pending question.

The SPEAKER PRO TEM: The Representative from Newport may proceed.

Representative **FREDETTE**: And if the good Representative from Freeport would let me finish my sentence, I was actually getting to that point. So, thank you, Mr. Speaker. So, the issue is, very simply, that this bill was intended to be, in fact, a minimum wage bill, "An Act To Support Maine's Working Families," and that's what this issue is.

And so, I would simply submit to this body that, in prior testimony, that this body hadn't responded appropriately to the issue of minimum wage, which I understand is the intent of this bill. However, I don't really know, because there is no bill, because we didn't do our job. And so, when we were previously accused of not doing our job, quite frankly, what we didn't do is our job on this bill because there is no bill. That's the problem. So, we're going to vote on a bill, Ought Not to Pass, that has no language because we didn't do our job. Thank you, Mr. Speaker.

The SPEAKER PRO TEM: The Chair recognizes the Representative from Glenburn, Representative Guerin.

Representative **GUERIN**: Thank you, Mr. Speaker Pro Tem. Mr. Speaker, Ladies and Gentlemen of the House, I rise to address the emptiness of the motion before us and urge us to vote against the pending motion. We need to, instead, envision this empty motion as a cry for legislative help from the citizens of Maine.

Maine citizens are asking us to intervene and offer an alternative measure to the empty promises of an extreme ballot measure, which will hurt Maine workers and businesses in three distinct ways. First, it will hurt rural employment and young, first-time workers. Tiny businesses...

The SPEAKER PRO TEM: The Representative will defer. The Chair will remind the Representative, what we are discussing right now is an Ought Not to Pass motion on this bill and the Chair would request that the comments focus on that motion.

The Chair reminded Representative GUERIN of Glenburn to confine her debate to the question before the House.

The SPEAKER PRO TEM: The Representative may proceed.

Representative **GUERIN**: And I am addressing the emptiness of the motion and my thought that what it should be filled with. Tiny businesses in low income areas will, in some cases, be forced to close, lay off workers, and refrain from hiring first-time workers. Secondly, this empty motion could be filled with a compromise to save our restaurant servers from the fate of moving from the already required...

The SPEAKER PRO TEM: The Representative will defer. The Chair recognizes the Representative from Bangor, Representative Goode, and inquires to why the Representative rises.

Representative **GOODE**: Mr. Speaker, I would inquire as to whether an empty concept draft has to do with the things that are being talked about on the floor right now.

On **POINT OF ORDER**, Representative GOODE of Bangor asked the Chair if the remarks of Representative GUERIN of Glenburn were germane to the pending question.

The SPEAKER PRO TEM: As stated before, the Chair has said that before us is a motion, an Ought Not to Pass on a concept draft in regards to "An Act To Support Maine's Working Families." The Chair requests that all comments be focused on

this bill and there is a wide berth as it relates to the comments of a concept draft and to the title.

The Chair advised Representative GOODE of Bangor the remarks of Representative GUERIN of Glenburn were germane to the pending question.

The SPEAKER PRO TEM: The Representative may proceed. The Representative will defer.

The Chair recognizes the Representative from Newport, Representative Fredette, and inquires to why the Representative rises.

Representative FREDETTE: Thank you, Mr. Speaker, in regards to applying the rules, the House Rules, in regards to what people can speak on in regards to the bill before the body, can I just get some guidance from the Speaker in regards to what parameters you're using when there's no language in the bill.

The SPEAKER PRO TEM: In response to the question from the Representative from Newport, I was actually ruling in the Representative's favor in regards to continuing to speak and allowing for a wide berth. I apologize if I was not clear on that. I will say, though, that I am warning Members not to speak about specific referendums that are no longer before us. It's the Chair's understanding that this bill's title allows for discussion about things that will help Maine working families.

The Chair allows the Representative to proceed.

Representative GUERIN: I appreciate that, Mr. Speaker, thank you. Secondly, this empty motion could be filled with a compromise to save our restaurant servers from the fate of moving from the already required, guaranteed federally, minimum wage tip wage system. Ask any server you meet; they do not want an empty motion or an empty tip jar.

Lastly, our senior citizens are not looking for empty promises from Augusta. To look out for our elderly is our responsibility. They are, instead, looking for us to intervene with a competing measure that will prevent a large cost-of-living price increase that will leave them with much diminished buying power. Please join me in voting against this measure of empty promises and this empty motion.

The SPEAKER PRO TEM: Before us is a concept draft. In preparation for today's debate, and in consultation with the Clerk, and reading through, the Chair will allow for comments that are in regards to the concept draft, which includes speculation of what the concept draft could include, as well as Members wishes of what could be included. So I hope that provides clarification, as we have a number of folks that have pressed their button to speak at this time.

The Speaker resumed the Chair.
The House was called to order by the Speaker.

The SPEAKER: The Chair recognizes the Representative from Embden, Representative Dunphy.

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

The SPEAKER: The Representative may pose his question.

Representative DUNPHY: Thank you, Mr. Speaker. Mr. Speaker, I'm dazed and confused, again. So, I'd like a clarification. Are we being asked to vote Ought Not to Pass on a bill that has no content and whose title talks about helping Maine's working families as a result of paper mill closures?

The SPEAKER: The Representative from Embden, Representative Dunphy, has posed a question through the Chair to anyone who may care to respond. The Chair recognizes the Representative from Biddeford, Representative Fecteau.

Representative FECTEAU: Thank you, Mr. Speaker, I would remind my colleagues here in the chamber that we often have—and I'm sure none of us are unfamiliar with—concept drafts. They're presented frequently. They are used as tools to present legislation as needed. This concept draft was determined to be not needed and is being disposed of as a result of the vote that committee members in LCRED took last week. Thank you, Mr. Speaker.

The SPEAKER: The Chair recognizes the Representative from Topsham, Representative Tepler.

Representative TEPLER: Thank you, Mr. Speaker. Mr. Speaker, I would like to speculate that I wish that this concept draft contained a plan to help our middle class working families in the State of Maine. I would like to see a plan that included a more progressive income tax system. And I would like to see a plan that supported our family with childcare related tax cuts. Thank you, Mr. Speaker.

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

ROLL CALL NO. 515

YEA - Alley, Babbidge, Bates, Battle, Beavers, Beck, 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, Hobbins, Hogan, Hubbell, Hymanson, Jorgensen, Kornfield, Kruger, Lajoie, Longstaff, Luchini, Martin J, Martin R, Mastraccio, McCabe, McCreight, McLean, Melaragno, Monaghan, Moonen, Morrison, Nadeau, Peterson, Pierce T, Powers, Rotundo, Russell, Rykerson, Sanborn, Saucier, Schneck, Short, Stanley, Tepler, Tipping-Spitz, Tucker, Verow, Warren, Welsh, Mr. Speaker.

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

ABSENT - Grohman, Kumiega, Ordway, Stuckey, Theriault, Winsor.

Yes, 78; No, 67; Absent, 6; Excused, 0.

78 having voted in the affirmative and 67 voted in the negative, with 6 being absent, and accordingly the Majority **Ought Not to Pass** Report was **ACCEPTED** and sent for concurrence.

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

SENATE PAPERS

The following Joint Order: (S.P. 688)

ORDERED, the House concurring, that when the Senate adjourn they do so until Monday, March 28, 2016, at 10:00 in the morning and House adjourn until 9:30 in the morning.

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

ENACTORS
Emergency Measure

An Act To Establish a Protocol for Review of State Education Content Standards of the System of Learning Results
(H.P. 1015) (L.D. 1492)
(C. "A" H-579)

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

Representative McCABE of Skowhegan **REQUESTED** a roll call on **PASSAGE TO BE ENACTED**.

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

The **SPEAKER**: A roll call has been ordered. The pending question before the House is Passage to be Enacted. All those in favor will vote yes, those opposed will vote no.

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

ROLL CALL NO. 516

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

NAY - NONE.

ABSENT - Campbell R, Fowle, Goode, Grohman, Kumiega, Ordway, Stuckey, Theriault, Winsor.

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

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

Emergency Measure

Resolve, To Provide Funding for the County Jail Operations Fund
(S.P. 652) (L.D. 1614)
(C. "A" S-400)

Reported by the Committee on **Engrossed Bills** as truly and strictly engrossed. This being an emergency measure, a two-thirds vote of all the members elected to the House being necessary, a total was taken. 114 voted in favor of the same and 19 against, and accordingly the Resolve was **FINALLY PASSED**, signed by the Speaker and sent to the Senate.

Pursuant to the Constitution
Public Land

An Act To Authorize the Sinclair Sanitary District To Lease Land for Telecommunications Purposes
(H.P. 1130) (L.D. 1659)

Reported by the Committee on **Engrossed Bills** as truly and strictly engrossed. In accordance with the provisions of Section 23 of Article IX of the Constitution, a two-thirds vote of all the members elected to the House being necessary, a total was taken. 118 voted in favor of the same and 18 against, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

Acts

An Act To Allow Terminally Ill Patients To Choose To Use Experimental Treatments
(H.P. 138) (L.D. 180)
(C. "A" H-577)

An Act To Enact the Recommendations of the Commission on Independent Living and Disability
(H.P. 652) (L.D. 949)
(C. "A" H-578)

An Act To Conform Maine Law to Federal Law Regarding Closings and Mass Layoffs and To Strengthen Employee Severance Pay Protections
(S.P. 515) (L.D. 1389)
(C. "A" S-409)

An Act To Facilitate MaineCare Assisted Living by Providing a Cost-of-living Adjustment to Private Nonmedical Institutions and Adult Family Care Homes
(S.P. 589) (L.D. 1527)
(C. "A" S-402)

An Act To Encourage Maine Employers To Offer and Employees To Enroll in Disability Income Protection Plans in the Workplace
(H.P. 1051) (L.D. 1542)
(C. "A" H-576)

An Act To Improve Hospital Governance by Clarifying the Requirement for a Certificate of Need for Intracorporation Transfers
(S.P. 624) (L.D. 1573)
(C. "A" S-410)

An Act To Make Hunting, Fishing and Trapping the Basis of Managing Inland Fisheries and Wildlife Resources
(H.P. 1083) (L.D. 1593)
(C. "A" H-573)

An Act To Extend the Time for Commencing an Action Relating to Death Caused by Homicide
(S.P. 646) (L.D. 1605)

An Act To Designate the Maine Lobster as the State Crustacean
(H.P. 1097) (L.D. 1609)

An Act To Expand Geropsychiatric Facility Capacity
(S.P. 654) (L.D. 1616)
(C. "A" S-412)

An Act Regarding the Long-term Care Ombudsman Program
(S.P. 655) (L.D. 1617)
(C. "A" S-389)

An Act Authorizing the Deorganization of Oxbow Plantation
(H.P. 1112) (L.D. 1635)
(C. "A" H-572)

An Act To Require the Bureau of Alcoholic Beverages and Lottery Operations To Provide Annual Reports on Spirits Sales Revenues and Expenditures To Promote Lottery Sales

(H.P. 1138) (L.D. 1669)

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.

REPORTS OF COMMITTEE

Refer to the Committee on Energy, Utilities and Technology Pursuant to Joint Order

Report of the **Joint Standing Committee on Energy, Utilities and Technology** on Bill "An Act To Establish a Process for Procurement of Renewable Resources"

(S.P. 689) (L.D. 1676)

Reporting that it be **REFERRED** to the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** pursuant to Joint Order 2016, S.P. 668.

Came from the Senate with the Report **READ** and **ACCEPTED** and the Bill and accompanying papers **REFERRED** to the Committee on **ENERGY, UTILITIES AND TECHNOLOGY**.

Report was **READ**.

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

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

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

Representative **FREDETTE**: Thank you, Mr. Speaker, I only had a quick question in regards to LD 1676. What's the purpose of the bill? My understanding is a bill being referred to the committee this late in the session, and so I was concerned in terms of our workload and the bill being referred to committee.

The **SPEAKER**: The Representative from Newport, Representative Fredette, has posed a question through the Chair to anyone who may care to respond. The Chair recognizes the Representative from Skowhegan, Representative McCabe.

Representative **McCABE**: Thank you, Mr. Speaker, the supplement that's before us is in regards to some of the issues that the biomass industry is facing. It comes reported out as a Joint Order. It is late in the session. It is based on some of the work that the stakeholders in that industry, as well as the Chief Executive and others, have been discussing. And that's why this bill is coming forward at this time.

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

Representative **FREDETTE**: Thank you, Mr. Speaker, for that clarification.

Subsequently, the Report was **ACCEPTED** and the Bill and accompanying papers were **REFERRED** to the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** in concurrence.

Divided Report

Majority Report of the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-428)** on Bill "An Act To Provide Ballistic Vests to State Law Enforcement Officers"

(S.P. 598) (L.D. 1536)

Signed:

Senators:

ROSEN of Hancock

BURNS of Washington

GERZOFISKY of Cumberland

Representatives:

FOWLE of Vassalboro

CHENETTE of Saco

DAVITT of Hampden

GERRISH of Lebanon

LAJOIE of Lewiston

NADEAU of Winslow

THERIAULT of China

TIMMONS of Cumberland

WARREN of Hallowell

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "B" (S-429)** on same Bill.

Signed:

Representative:

LONG of Sherman

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-428)**.

READ.

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

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**: 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. 517

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

NAY - Crafts, Espling, Farrin, Fredette, Greenwood, Hanley, Kinney J, Kinney M, Lockman, Lyford, Marean, Nutting, Parry, Reed, Sawicki, Sirocki, Stetkis, Timberlake, Winsor.

ABSENT - Campbell R, Kumiega, Ordway, Theriault.

Yes, 128; No, 19; Absent, 4; Excused, 0.

128 having voted in the affirmative and 19 voted in the negative, with 4 being absent, and accordingly the Majority **Ought to Pass as Amended** Report was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (S-428)** 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-428)** in concurrence.

PETITIONS, BILLS AND RESOLVES REQUIRING REFERENCE

Resolve, Directing the Department of Administrative and Financial Services and the Maine Public Employees Retirement System To Identify Retirees Whose Retirement Benefit Calculations Were Adversely Affected by Certain Pay Freezes and To Calculate Costs Associated with Authorizing Those Retirees To Include Such Lost Wages in Retirement Benefit Calculations

(H.P. 1144) (L.D. 1677)

Sponsored by Representative PICKETT of Dixfield.
Cosponsored by Senator WHITTEMORE of Somerset and Representatives: DOORE of Augusta, GROHMAN of Biddeford, HANINGTON of Lincoln, HANLEY of Pittston, HERRICK of Paris, MARTIN of Sinclair, TURNER of Burlington, WINSOR of Norway.
Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205.

Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** suggested and ordered printed.

REFERRED to the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** and ordered printed.

Sent for concurrence.

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

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

Representative **LOCKMAN**: Mr. Speaker, Ladies and Gentlemen of the House, it was a week ago Tuesday that Representative McCabe made a motion to Table Unassigned LD 1652, An Act Regarding Municipal Immigration Policies. That motion carried on a straight party line vote. It effectively shut down any debate or public hearings on this matter. The *Portland Press Herald* subsequently editorialized on this subject. They were sharply critical of the Chief Executive and of me, the bill's sponsor. They were also critical of Representative McCabe for using a parliamentary nuclear option to shut this down. So, I would inquire through the chair if Representative McCabe is prepared to un-table that and allow a public debate on this important issue.

The SPEAKER: The Representative from Amherst, Representative Lockman, has posed a question through the Chair to anyone who may care to respond.

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

Representative **ALLEY**: Thank you, Mr. Speaker. Mr. Speaker, Men and Women of the House, in reference to Roll Call 503 on LD 180, I had been present, I would have votes "yes." In reference to Roll Call 504 on LD 1298, had I been present, I would have votes "yes." In reference to Roll Call 505 on LD

1588, had I been present, I would have votes "yea." In reference to Roll Call 506 on LD 1622, had I been present, I would have votes "yea." In reference to Roll Call 507 on LD 1459, had I been present, I would have votes "yea." In reference to Roll Call 508 on LD 783, had I been present, I would have votes "yea." In reference to Roll Call 509v on LD 1485, had I been present, I would have votes "yea." And by the way, that 19-year-old sow had three cubs. Thank you.

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

On motion of Representative WARD of Dedham, the House adjourned at 12:56 p.m., until 9:30 a.m., Monday, March 28, 2016, pursuant to the Joint Order (S.P. 688) and in honor and lasting tribute to Michael R. "Gunney" Gray, of Verona Island.