

MAINE STATE LEGISLATURE

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

Daily Edition

First Regular Session
beginning December 7, 2016

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ONE HUNDRED TWENTY-EIGHTH LEGISLATURE
FIRST REGULAR SESSION
43rd Legislative Day
Wednesday, May 24, 2017

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 Lawrence High School Show Choir, Fairfield.

Pledge of Allegiance.

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

Doctor of the day, Beth Rockcross, M.D., Bangor.
The Journal of yesterday was read and approved.

SENATE PAPERS
Non-Concurrent Matter

Bill "An Act To Allow Fees To Be Charged for Wild Game Dinners"

(S.P. 202) (L.D. 587)

Majority (9) **OUGHT NOT TO PASS** Report of the Committee on **INLAND FISHERIES AND WILDLIFE READ** and **ACCEPTED** in the House on May 18, 2017.

Came from the Senate with that Body having **INSISTED** on its former action whereby the Minority (2) **OUGHT TO PASS AS AMENDED** Report of the Committee on **INLAND FISHERIES AND WILDLIFE** was **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-84)** and **ASKED** for a Committee of Conference in **NON-CONCURRENCE**.

The House voted to **INSIST** and **JOIN** in a **COMMITTEE OF CONFERENCE**.

Non-Concurrent Matter

Bill "An Act To Support Maine's Working Families through Universal Child Care"

(H.P. 1114) (L.D. 1618)

REFERRED to the Committee on **HEALTH AND HUMAN SERVICES** in the House on May 18, 2017.

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

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

Non-Concurrent Matter

Bill "An Act To Require Candidates To Be Listed as Unenrolled If Not Registered with a Recognized Party"

(H.P. 408) (L.D. 568)

Majority (7) **OUGHT NOT TO PASS** Report of the Committee on **VETERANS AND LEGAL AFFAIRS READ** and **ACCEPTED** in the House on May 18, 2017.

Came from the Senate with the Minority (6) **OUGHT TO PASS AS AMENDED** Report of the Committee on **VETERANS AND LEGAL AFFAIRS READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-188)** in **NON-CONCURRENCE**.

Representative ESPLING of New Gloucester moved that the House **RECEDE AND CONCUR**.

Representative HERBIG of Belfast **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: 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. 141

YEA - Austin S, Bickford, Black, Bradstreet, Cebra, Chace, Corey, Craig, Daughtry, Dillingham, Espling, Farrin, Foley, Fredette, Gerrish, Gillway, Ginzler, Guerin, Haggan, Hanington, Hanley, Harrington, Harvell, Hawke, Head, Herrick, Higgins, Hilliard, Johansen, Kinney J, Kinney M, Lyford, Malaby, Marean, Mason, McElwee, O'Connor, Ordway, Parry, Perkins, Picchiotti, Pierce J, Pouliot, Prescott, Reed, Sampson, Sanderson, Seavey, Sherman, Simmons, Sirocki, Skolfield, Stanley, Stearns, Stetkis, Stewart, Strom, Sutton, Theriault, Timberlake, Tuell, Turner, Vachon, Wadsworth, Wallace, Ward, White, Winsor, Wood.

NAY - Ackley, Alley, Austin B, Babbidge, Bailey, Bates, Battle, Beebe-Center, Berry, Blume, Bryant, Cardone, Casas, Chapman, Collings, Cooper, DeChant, Denno, Duchesne, Dunphy, Farnsworth, Fay, Fecteau, Frey, Fuller, Gattine, Golden, Grant, Grohman, Handy, Harlow, Herbig, Hickman, Hogan, Hubbell, Hymanson, Jorgensen, Kornfield, Kumiega, Lawrence, Longstaff, Luchini, Madigan C, Madigan J, Martin J, Mastraccio, McCrea, McCreight, McLean, Melaragno, Monaghan, Moonen, Nadeau, O'Neil, Parker, Perry, Pierce T, Reckitt, Riley, Rykerson, Sanborn, Schneck, Sheats, Spear, Sylvester, Talbot Ross, Tepler, Terry, Tipping, Tucker, Warren, Zeigler, Madam Speaker.

ABSENT - Brooks, Campbell, Grignon, Hamann, Lockman, Martin R, Pickett.

Yes, 69; No, 73; Absent, 7; Excused, 2.

69 having voted in the affirmative and 73 voted in the negative, with 7 being absent and 2 excused, and accordingly the motion to **RECEDE AND CONCUR FAILED**.

Subsequently, Speaker GIDEON of Freeport moved that the House **INSIST**.

Representative ESPLING of New Gloucester **REQUESTED** a roll call on the motion to **INSIST**.

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 Burlington, Representative Turner.

Representative **TURNER**: Thank you, Madam Speaker. Ladies and Gentlemen of the House, I rise in opposition to the pending motion. I hope that you will vote this motion down so that we can Recede and Concur. I will not be running for re-election in the next cycle as I term out. But some of you folks here in this chamber will be running for re-election, and currently, the Unenrolleds have the right to choose up to three words. This bill does not stop a party who is trying to gather the 5,000 signatures to determine that they can have up to three words. Also, someone may be on the ballot as an Unenrolled that says, the forgotten one, against a Democrat or against a Republican. This is not a partisan bill. This bill needs to go forward. Thank you very much.

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

ROLL CALL NO. 142

YEA - Ackley, Alley, Austin B, Babbidge, Bailey, Bates, Battle, Beebe-Center, Berry, Blume, Bryant, Cardone, Casas, Chapman, Collings, Cooper, Daughtry, DeChant, Denno, Duchesne, Dunphy, Farnsworth, Fay, Fecteau, Frey, Fuller, Gattine, Golden, Grant, Grohman, Handy, Harlow, Herbig, Hickman, Hogan, Hubbell, Jorgensen, Kornfield, Kumiega, Lawrence, Longstaff, Luchini, Lyford, Madigan C, Madigan J, Martin J, Mastraccio, McCrema, McCreight, McLean, Melaragno, Monaghan, Moonen, Nadeau, O'Neil, Parker, Perry, Pierce T, Reckitt, Riley, Rykerson, Sanborn, Schneck, Sheats, Spear, Sylvester, Talbot Ross, Tepler, Terry, Tipping, Tucker, Warren, Zeigler, Madam Speaker.

NAY - Austin S, Bickford, Black, Bradstreet, Cebra, Chace, Corey, Craig, Dillingham, Espling, Farrin, Foley, Fredette, Gerrish, Gillway, Ginzler, Guerin, Haggan, Hanington, Hanley, Harrington, Harvell, Hawke, Head, Herrick, Higgins, Hilliard, Hymanson, Johansen, Kinney J, Kinney M, Malaby, Marean, Mason, McElwee, O'Connor, Ordway, Parry, Perkins, Picchiotti, Pierce J, Pouliot, Prescott, Reed, Sampson, Sanderson, Seavey, Sherman, Simmons, Sirocki, Skolfield, Stanley, Stearns, Stetkis, Stewart, Strom, Sutton, Theriault, Timberlake, Tuell, Turner, Vachon, Wadsworth, Wallace, Ward, White, Winsor, Wood.

ABSENT - Brooks, Campbell, Grignon, Hamann, Lockman, Martin R, Pickett.

Yes, 74; No, 68; Absent, 7; Excused, 2.

74 having voted in the affirmative and 68 voted in the negative, with 7 being absent and 2 excused, and accordingly the House voted to **INSIST**.

COMMUNICATIONS

The Following Communication: (H.C. 183)

**STATE OF MAINE
OFFICE OF THE GOVERNOR
1 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0001**

May 23, 2017

The 128th Legislature of the State of Maine
State House
Augusta, Maine

Dear Honorable Members of the 128th Legislature:

Under the authority vested in me by Article IV, Part Third, Section 2 of the Constitution of the State of Maine, I am hereby vetoing LD 146 "An Act To Protect the Confidentiality of State and Local Government Employees' Private Information."

This bill would exempt from public view certain information about public servants. I do think there is an important balance between the public's right to know and the privacy interests of public servants. Unfortunately, this bill strikes the wrong balance. I also believe that this bill, if passed, would have unintended consequences. While I support making social security numbers confidential, the public should have a right to know about those who make decisions on behalf of the public while serving in government.

For this reason, I return LD 146 unsigned and vetoed. I strongly urge the Legislature to sustain it.

Sincerely,

S/Paul R. LePage

Governor

READ and ORDERED PLACED ON FILE. Sent for concurrence.

The accompanying item Act To Protect the Confidentiality of State and Local Government Employees' Private Information (H.P. 104) (L.D. 146) (C. "A" H-85)

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

Representative **FREDETTE**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. As you can see in the Chief Executive's veto letter that he indicates in it that there is an important balance to be struck between the public's right to know and the privacy interests of public servants. And certainly, as attorneys, there are sort of legal standards, quite frankly, about what a public official exposes themselves to when they become a public servant and what they do. And those are actually quite well known. I think, unfortunately, this particular bill goes too far. In a day and age when you have social media and other means of communications, in a time when activity at the local level, the state level, and the federal level, becomes so critical, I think it's important that we have as much opportunity to reach out to those that have decided to engage in public service and have communication with them. And so, while I think that the interest of the committee was certainly well served, I do believe that the Chief Executive is correct in saying that the balance in this particular bill simply went too far and I will be voting to sustain the Governor's veto, and ask that you would follow my light. Thank you, Madam Speaker.

The SPEAKER: The Chair recognizes the Representative from Harpswell, Representative McCreight.

Representative **McCREIGHT**: Thank you, Madam Speaker, Women and Men of the House. I respectfully disagree. This bill, while I agree with the Chief Executive that protecting Social Security numbers is important, currently state employees have much broader protection and all that this bill does is give the state employee's protections to, the same protections to town and county employees, and it does protect Social Security numbers, it does protect private information. But, if you think about a personnel file, it also includes information about dependents and this bill protects that information from being disclosed. This came through the Judiciary Committee and it was a unanimous Ought to Pass Report, no objection to it. And the Judiciary Committee has been very, if you've ever served on Judiciary you know that every session we get requests for meetings to be held without people having to be present and we always reject that policy. So, we worked very hard to protect people's access to their employees and their elected officials. This bill just gives town and county employees the same protections that state employees already have. So, I ask you to support this fair legislation. Thank you.

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

Representative **MOONEN**: Thank you, Madam Speaker, Madam Speaker, Men and Women of the House, I rise briefly just to echo the comments of the Representative from Harpswell. This was a unanimous report from committee. State employees already have all of these protections. This request came to us from the Maine Municipal Association. Our committee has heard many examples of frivolous information requests being submitted to towns that are becoming quite burdensome on town employees, and asking for really personal information that is just not appropriate to be asking for. Certainly, Social Security numbers should be protected. We all agree on that, but the committee felt unanimously that the protections should be a little bit broader than just Social

Security numbers. There's protections in here for dependent information, information about any mental or physical disabilities that public employees might have, genetic information, there is information certainly the public has a right to know about the health insurance plans of a municipality but this actually would protect the individual health insurance choices of individual employees. And we just felt like these protections were very important for the individual and because state employees already have them, it made sense to us to extend those same protections to municipal employees. So, I ask you to override this veto. Thank you very much.

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

Representative **RECKITT**: Madam Speaker, Ladies and Gentlemen of the House, I had not intended to speak, however I'm concerned about the Governor's concern about unintended consequences, because I, too, am concerned about that with regard to this bill. I'm not with the bill but the absence of it. As many of you know, I worked 36 years with victims of domestic violence and their children, and I'm heavily conscious of the things that might put them at risk and almost any kind of information disclosure, particularly on children, or other ways that they can be identified by partners, or former partners, who might be stalking or hurting them, I think that we cannot risk sharing those kinds of information that could be utilized by someone with bad intent. So, I respectfully disagree with the Governor's veto and hope that you will vote to override it. Thank you.

The SPEAKER: As a reminder for all members, when referring to the Chief Executive, we need to refer to him as the Chief Executive.

The Chair reminded all members to refer to the Chief Executive as the Chief Executive.

After reconsideration, the House proceeded to vote on the question, 'Shall this Bill become a law notwithstanding the objections of the Governor?' A roll call was taken.

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

ROLL CALL NO. 143V

YEA - Ackley, Alley, Austin B, Babbidge, Bailey, Bates, Battle, Beebe-Center, Berry, Black, Blume, Bradstreet, Bryant, Cardone, Casas, Cebra, Chapman, Collings, Cooper, Corey, Daughtry, DeChant, Denno, Dillingham, Duchesne, Dunphy, Farnsworth, Fay, Fecteau, Foley, Frey, Fuller, Gattine, Gillway, Golden, Grant, Grohman, Guerin, Haggan, Handy, Harlow, Harrington, Herbig, Herrick, Hickman, Hilliard, Hogan, Hubbell, Hymanson, Johansen, Jorgensen, Kornfield, Kumiega, Lawrence, Longstaff, Luchini, Madigan C, Madigan J, Marean, Martin J, Mastraccio, McCrea, McCreight, McLean, Melaragno, Monaghan, Moonen, Nadeau, O'Neil, Parker, Parry, Perry, Pierce T, Pouliot, Reckitt, Riley, Rykerson, Sanborn, Schneck, Seavey, Sheats, Sherman, Skolfield, Spear, Stanley, Strom, Sylvester, Talbot Ross, Tepler, Terry, Tipping, Tucker, Tuell, Vachon, Warren, Zeigler, Madam Speaker.

NAY - Austin S, Chace, Craig, Espling, Farrin, Fredette, Gerrish, Ginzler, Hanington, Hanley, Harvell, Hawke, Head, Higgins, Kinney J, Kinney M, Lyford, Malaby, Mason, McElwee, O'Connor, Ordway, Perkins, Picchiotti, Pierce J, Prescott, Reed, Sampson, Sanderson, Simmons, Sirocki, Stearns, Stetkis, Stewart, Sutton, Theriault, Timberlake, Turner, Wadsworth, Wallace, Ward, White, Winsor.

ABSENT - Bickford, Brooks, Campbell, Grignon, Hamann, Lockman, Martin R, Pickett, Wood.

Yes, 97; No, 43; Absent, 9; Excused, 2.

97 having voted in the affirmative and 43 voted in the negative, with 9 being absent and 2 excused, and accordingly the Veto was **NOT SUSTAINED**. Sent for concurrence.

The Following Communication: (H.C. 180)

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

May 24, 2017

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 May 23, 2017

Judge Peter L. Darwin of Portland
Judge Ethna Mary Kelly of Falmouth and
Judge David J. Soucy of Fort Kent for reappointment as a District Court Judge.

Pursuant to Title 4 MRSA §157, these reappointments are contingent on the Maine Senate confirmation after review by the Joint Standing Committee on Judiciary.

Sincerely,

S/Sara Gideon
Speaker of the House

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

The Following Communication: (S.C. 429)

**MAINE SENATE
128TH LEGISLATURE
OFFICE OF THE SECRETARY**

May 23, 2017

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 actions whereby it accepted

- the Majority Ought Not to Pass Report from the Committee on Criminal Justice and Public Safety on Bill "An Act To Fund and Enhance the Maine Diversion Alert Program" (H.P. 182) (L.D. 249), in non-concurrence;
- the Majority Ought Not to Pass Report from the Committee on Insurance and Financial Services on Bill "An Act To Eliminate Insurance Rating Based on Age, Geographic Location or Smoking History and To Reduce Rate Variability Due to Group Size" (H.P. 549) (L.D. 769), in non-concurrence;
- the Minority Ought Not to Pass Report from the Committee on Labor, Commerce, Research and Economic Development on Bill "An Act To Enact the Toxic Chemicals in the Workplace Act" (H.P. 490) (L.D. 699), in non-concurrence.

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 To Reform Welfare for Increased Security and Employment"

(H.P. 1115) (L.D. 1620)

Sponsored by Representative FREDETTE of Newport. (GOVERNOR'S BILL)

Cosponsored by Senator HAMPER of Oxford and Representatives: CHACE of Durham, ESPLING of New Gloucester, HEAD of Bethel, MALABY of Hancock, SANDERSON of Chelsea.

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 item:

Recognizing:

the Chocolate Church Arts Center, in Bath, which is celebrating its 40th Anniversary. We extend to everyone at the Chocolate Church Arts Center our congratulations and best wishes;

(HLS 433)

Presented by Representative DeCHANT of Bath.

Cosponsored by Senator VITELLI of Sagadahoc.

On **OBJECTION** of Representative DeCHANT of Bath, was **REMOVED** from the Special Sentiment Calendar.

READ.

The SPEAKER: The Chair recognizes the Representative from Bath, Representative DeChant.

Representative **DeCHANT**: Thank you. Madam Speaker, Ladies and Gentlemen of the House, I rise because of a common factor that we have as a citizen Legislature. Many of us have jobs that help support our political endeavors. My job is as the Executive Director of the Chocolate Church Arts Center. When I became the Executive Director in 2013, the organization was dangerously close to being closed. There was only \$250 in our bank account. I am happy to report, at this point, that we are operating our budget in the black and now we entertain 6,000 people during our season which is from September to June. That is 57 performances in 41 weeks. We bring people into the community and to the region who see our shows, who have dinner, who shop, who stay over, and so we are an economic driver within our region. But none of this would be possible without the volunteers, without the board members, without the sponsors and advertisers, without the members, without the ticket buyers, many of whom are here in this chamber. Now, I have only been a part of its life cycle for about a fourth of it, but let me tell you, it is not easy being a community art center in a presenting venue. I would encourage you, Madam Speaker and Ladies and Gentlemen of the House, no, no, no, I invite you to allow live performances into your life: live music, local, regional, national, international, community theater, dance, visual arts,

because that is what we've been doing at the Chocolate Church Arts Center for four decades. Thank you.

The SPEAKER: The Chair recognizes the Representative from Dresden, Representative Pierce.

Representative **PIERCE**: Thank you, Madam Speaker, Ladies and Gentlemen. My job is restoring old homes, facilities, and historic renovations. I'd like to send my appreciation to the Chocolate Church for their participation in our community. They do a great job. It's their 40th anniversary. The old Gothic building has become a staple in the historic district. People enjoy going to shows and performances there and I always liked, it feels like I'm coming home when I cross the Kennebec River bridge there. I'd just like to send my sincere appreciation to their cause.

The SPEAKER: The Chair recognizes the Representative from Harpswell, Representative McCreight.

Representative **McCREIGHT**: Thank you, Madam Speaker. Madam Speaker, Women and Men of the House, I rise to add my support for the Chocolate Church Arts Center. The Chocolate Church is sustained by hard working and dedicated volunteers who donate countless hours of their time to implement the dual missions of fostering the arts and preserving the historic structure we've just heard about. I congratulate the Chocolate Church Arts Center on its 40th anniversary and acknowledge the sense of community that it has created and maintained in Bath and throughout the surrounding communities, West Bath, Harpswell, Portland, Brunswick. Thank you.

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

Representative **TEPLER**: Thank you, Madam Speaker. Men and Women of the House, I rise to join my Sagadahoc County colleagues in congratulating the Chocolate Church on their 40th anniversary. Speaking from the heart and from personal experience, one of the things that the Chocolate Church does so well is provide opportunities and experiences for performance for children in our communities. Several of my daughters had the opportunity to be in plays that were performed at the Chocolate Church Arts Center and enjoyed the experiences tremendously. There are a limited number of community organizations providing the opportunities to children that the Chocolate Church provides. So, thank you very much to Representative Jen DeChant as the Director of the Chocolate Church and the board and congratulations on 40 years of serving children and adults in our community.

The SPEAKER: The Chair recognizes the Representative from Bowdoinham, Representative Berry.

Representative **BERRY**: Thank you, Madam Speaker. Madam Speaker, Women and Men of the House, having spent 19 years of my professional life in public education, I want to offer my perspective and my great respect for the Chocolate Church Arts Center, for its strong connection to the entire southern Midcoast community through its diverse and creative programming, its support of several local fundraising efforts, and its tradition of offering complimentary tickets to its holiday production to students and families who might otherwise not be able to attend and experience live theater. The Chocolate Church offers live theater productions to entertain the community and attracts seasoned local actors as well as children and students to perform on stage and experience what only live theater can provide. So, I want to congratulate the Chocolate Church and its director on four decades of serving Sagadahoc County and beyond. Thank you.

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

Representative **JORGENSEN**: Thank you, Madam Speaker, Men and Women of the House. As one who, in my other life, works for a foundation that funds various entities across the state, including the Chocolate Church, I just want to lend my support to the cavalcade of congratulations that's been going on here. I think particularly the Chocolate Church has done a tremendous job turning itself around and reasserting itself as a pillar of Maine's cultural community. So, congratulations to the Representative from Bath and congratulations to the Chocolate Church. Thank you, Madam Speaker.

Subsequently, this Expression of Legislative Sentiment was **PASSED** and sent for concurrence.

REPORTS OF COMMITTEE
Divided Reports

Majority Report of the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-131)** on Bill "An Act To Prohibit a Person under 18 Years of Age from Being Charged with the Crime of Engaging in Prostitution"

(S.P. 173) (L.D. 512)

Signed:
Senators:

ROSEN of Hancock
CYRWAY of Kennebec
DIAMOND of Cumberland

Representatives:

WARREN of Hallowell
COREY of Windham
HERRICK of Paris
LONGSTAFF of Waterville
MAREAN of Hollis
NADEAU of Winslow
RECKITT of South Portland
TALBOT ROSS of Portland

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

Signed:
Representative:

GERRISH of Lebanon

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-131)**.

READ.

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

The Bill was **READ ONCE**. **Committee Amendment "A" (S-131)** 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-131)** in concurrence.

Majority Report of the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-130)** on Bill "An Act To Amend the Laws Governing Eluding an Officer"

(S.P. 361) (L.D. 1090)

Signed:
Senators:

ROSEN of Hancock
CYRWAY of Kennebec
DIAMOND of Cumberland

Representatives:

COREY of Windham
GERRISH of Lebanon
GROHMAN of Biddeford
HERRICK of Paris
MAREAN of Hollis
NADEAU of Winslow
RECKITT of South Portland

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

Signed:
Representatives:

WARREN of Hallowell
LONGSTAFF of Waterville
TALBOT ROSS of Portland

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-130)**.

READ.
Representative WARREN of Hallowell moved that the House **ACCEPT** the Minority **Ought Not to Pass** Report.

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

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

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

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

The SPEAKER: The Chair recognizes the Representative from Lebanon, Representative Gerrish.

Representative **GERRISH**: Thank you, Madam Speaker, Men and Women of the House. I rise today in opposition to the pending motion. Statistically, one in three police pursuits will end in a crash. Fifty percent of those that do end in a crash will occur within the first two minutes of beginning the pursuit. Twelve percent of all pursuits will end with someone being injured or being killed. This amendment is the Majority Report of the committee. Like the bill, the amendment provides a defense to prosecution for an owner of a vehicle if a person other than the owner is charged with eluding a law enforcement officer. The amendment adds to the provision that if asked by a law enforcement officer, the owner must disclose the name of the operator of the vehicle. The amendment extends the defense available to a dealer or transporter to the dealer who loans a vehicle using loaner plates. In committee, we heard testimony in favor from Brewer Police Department, as well as Maine State Police Major Scott telling us what a helpful law enforcement tool this is. I urge members of the House to follow my light and oppose the pending motion. Thank you.

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

Representative **WARREN**: Thank you, Madam Speaker. Madam Speaker, Women and Men of the House, this bill would allow police to fine a vehicle owner for something they didn't do or have any control over. We don't do that in our Criminal Code. If you don't do something, we don't prosecute you and charge you with it and fine you for it. It is already a crime that is prosecuted regularly in the state, if you elude a police officer. I ask you to please join me in voting for the Minority Ought Not to Pass Report. Thank you.

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

Representative **HARRINGTON**: I just want to correct the good Representative from Hallowell. There are situations within the Criminal Statute that do permit officers to charge individuals who the registered owner of the vehicles committed a crime, it's under the motor vehicle accident statutes. A registered owner of a vehicle can be charged for leaving the scene of an accident. So, there are situations already on the books where we do this. So, this is a good bill.

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

Representative **FREDETTE**: Thank you, Madam Speaker. I'd like to pose a question through the Chair.

The SPEAKER: The Member may proceed.

Representative **FREDETTE**: Thank you, Madam Speaker. To the extent that the good Representative from Hallowell indicated that in regards to conduct in terms of charging someone, I didn't get a clear understanding for what the specific act was which would require someone to therefore be charged that they didn't do. And so, if she may expound on that, it might be interesting.

The SPEAKER: The Representative from Newport has posed a question. The Chair recognizes the Representative from Hallowell, Representative Warren.

Representative **WARREN**: Thank you, Madam Speaker. I'm happy to answer my good friend from Newport. There are two cases where if you leave the scene of an accident, like Representative Harrington said, and also if you don't stop for a school bus, those are two things where, even if you weren't in the car, even if it wasn't your car, you can be charged. If it was your car but you were not in the car. In this case, we're talking about someone eluding a police officer and they're in your car, you may be an elderly woman up in your bedroom, 70 years old and you've lent it to one of your grandchildren, you're not sure which one was driving the car. If you can't say which person was driving your car, you will pay a \$500 fine. That is a very different situation than leaving the scene of a crime or not stopping for a school bus. Thank you for the opportunity.

On motion of Representative **FREDETTE** of Newport, **TABLED** pending the motion of Representative **WARREN** of Hallowell to **ACCEPT** the Minority **Ought Not to Pass** Report and later today assigned. (Roll Call Ordered)

The SPEAKER: Before we move on to the next Divided Report, it is, what I'm trying to do is not interrupt people in the middle of speeches, but I just want to remind members of some basic rules of decorum when giving floor speeches. So, these are not, this is not an exhaustive list, but just a couple of things. If you are referring to another member of the body, please refer to them by the place that they come from, for example, the Representative from Hallowell, and we don't refer to each other by name during floor speeches. Again, just a

reminder, although I've already said it today, when we are talking about the Chief Executive we need to refer to him as the Chief Executive. And just another one that often comes up when we may not refer to actions of the other body. So, that really isn't everything but those are ones that commonly come up and I would really like to not interrupt people during floor speeches, but just a reminder as we go through the next 49 Divided Reports during the next three and a half hours.

Majority Report of the Committee on **EDUCATION AND CULTURAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-104)** on Bill "An Act To Ensure Federal Title I Funding Is Directed to Classroom Learning"

(S.P. 448) (L.D. 1319)

Signed:

Senator:

MILLETT of Cumberland

Representatives:

KORNFELD of Bangor

DAUGHTRY of Brunswick

FARNSWORTH of Portland

FULLER of Lewiston

McCREA of Fort Fairfield

PIERCE of Falmouth

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

Signed:

Senators:

LANGLEY of Hancock

MAKER of Washington

Representatives:

GINZLER of Bridgton

SAMPSON of Alfred

STEWART of Presque Isle

TURNER of Burlington

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

READ.

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

The Bill was **READ ONCE**. **Committee Amendment "A" (S-104)** 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-104)** in **NON-CONCURRENCE** and sent for concurrence.

Majority Report of the Committee on **EDUCATION AND CULTURAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-128)** on Bill "An Act To Promote Social and Emotional Learning and Development in Early Childhood"

(S.P. 450) (L.D. 1321)

Signed:

Senators:

LANGLEY of Hancock
MAKER of Washington
MILLETT of Cumberland

Representatives:

KORNFELD of Bangor
DAUGHTRY of Brunswick
FARNSWORTH of Portland
FULLER of Lewiston
McCREA of Fort Fairfield
PIERCE of Falmouth

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

Signed:

Representatives:

GINZLER of Bridgton
SAMPSON of Alfred
STEWART of Presque Isle
TURNER of Burlington

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-128)**.

READ.

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

The Bill was **READ ONCE**. **Committee Amendment "A" (S-128)** 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-128)** in concurrence.

Majority Report of the Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-105)** on Bill "An Act To Continue MaineCare Coverage for Parents during the Rehabilitation and Reunification Process"

(S.P. 153) (L.D. 451)

Signed:

Senator:

CHIPMAN of Cumberland

Representatives:

HYMANSON of York
DENNO of Cumberland
HAMANN of South Portland
MADIGAN of Waterville
PARKER of South Berwick
PERRY of Calais

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

Signed:

Senators:

BRAKEY of Androscoggin
HAMPER of Oxford

Representatives:

CHACE of Durham
HEAD of Bethel
MALABY of Hancock
SANDERSON of Chelsea

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

READ.

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

The Bill was **READ ONCE**. **Committee Amendment "A" (S-105)** 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-105)** in **NON-CONCURRENCE** and sent for concurrence.

Majority Report of the Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-107)** on Resolve, To Alleviate Hunger in Rural Maine in Areas of High Unemployment

(S.P. 352) (L.D. 1070)

Signed:

Senator:

CHIPMAN of Cumberland

Representatives:

HYMANSON of York
DENNO of Cumberland
HAMANN of South Portland
MADIGAN of Waterville
PARKER of South Berwick
PERRY of Calais

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

Signed:

Senators:

BRAKEY of Androscoggin
HAMPER of Oxford

Representatives:

CHACE of Durham
HEAD of Bethel
MALABY of Hancock
SANDERSON of Chelsea

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

READ.

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

The Bill was **READ ONCE**. **Committee Amendment "A" (S-107)** 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-107)** in **NON-CONCURRENCE** and sent for concurrence.

Majority Report of the Committee on **HEALTH AND HUMAN SERVICES** reporting **Refer to the Committee on Labor, Commerce, Research and Economic Development** on Bill "An Act To Increase Access to Workforce Development Programs for New Maine Residents"

(S.P. 490) (L.D. 1412)

Signed:

Senator:

CHIPMAN of Cumberland

Representatives:

HYMANSON of York
DENNO of Cumberland
HAMANN of South Portland
MADIGAN of Waterville
PARKER of South Berwick
PERRY of Calais

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

Signed:

Senators:

BRAKEY of Androscoggin
HAMPER of Oxford

Representatives:

CHACE of Durham
HEAD of Bethel
MALABY of Hancock
SANDERSON of Chelsea

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

On motion of Representative HYMANSON of York, the Majority **Refer to the Committee on Labor, Commerce, Research and Economic Development** Report was **ACCEPTED**.

Subsequently, the Bill was **REFERRED** to the Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** in **NON-CONCURRENCE** and sent for concurrence.

Majority Report of the Committee on **INSURANCE AND FINANCIAL SERVICES** reporting **Ought Not to Pass** on Bill "An Act To Promote Early Detection of Breast Cancer"

(S.P. 262) (L.D. 817)

Signed:

Senators:

WHITTEMORE of Somerset

CARSON of Cumberland
DOW of Lincoln

Representatives:

LAWRENCE of South Berwick
COLLINGS of Portland
CRAIG of Brewer
FOLEY of Wells
MELARAGNO of Auburn
PICCHIOTTI of Fairfield
PRESCOTT of Waterboro
SANBORN of Portland
WALLACE of Dexter

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (S-117)** on same Bill.

Signed:

Representative:

BROOKS of Lewiston

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

On motion of Representative LAWRENCE of South Berwick, the Majority **Ought Not to Pass** Report was **ACCEPTED** in concurrence.

Majority Report of the Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-125)** on Bill "An Act To Require That Employees Be Informed of Potential Eligibility for the Earned Income Tax Credit"

(S.P. 359) (L.D. 1088)

Signed:

Senators:

BELLOWS of Kennebec
LANGLEY of Hancock

Representatives:

PECTEAU of Biddeford
BATES of Westbrook
DUNPHY of Old Town
HANDY of Lewiston
MASTRACCIO of Sanford
SYLVESTER of Portland

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

Signed:

Senator:

VOLK of Cumberland

Representatives:

AUSTIN of Gray
LOCKMAN of Amherst
STETKIS of Canaan
VACHON of Scarborough

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

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

The Bill was **READ ONCE**. **Committee Amendment "A" (S-125)** 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-125)** 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-109)** on Resolve, To Increase the Affordability of Safe Drinking Water for Maine Families (S.P. 426) (L.D. 1263)

Signed:

Senators:

VOLK of Cumberland
BELLOWS of Kennebec
LANGLEY of Hancock

Representatives:

FECTEAU of Biddeford
AUSTIN of Gray
BATES of Westbrook
DUNPHY of Old Town
HANDY of Lewiston
MASTRACCIO of Sanford
SYLVESTER of Portland
VACHON of Scarborough

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

Signed:

Representatives:

LOCKMAN of Amherst
STETKIS of Canaan

Came from the Senate with the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Resolve **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-109)**.

READ.

Representative FECTEAU of Biddeford 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 Biddeford, Representative Fecteau.

Representative **FECTEAU**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. Our committee heard from a diversity of organizations in support of this bill. We heard from the Catholic Diocese of Portland, we heard from the American Cancer Society, and I do want to highlight from their testimony. It is estimated that 1,380 Mainers will be diagnosed with lung cancer this year, while an estimated 570

will be diagnosed with bladder cancer. Combined, these two types of cancers represent more than 20 percent of estimated number of cancer diagnoses in Maine this year. We know that arsenic exposure and smoking can increase the risk for lung, kidney, and bladder cancer. This bill is an opportunity for the State of Maine, and for this body, to take seriously arsenic in wells that have been contaminated. On average folks that have contaminated wells, that choose not to use the water from their tap, will spend money on bottled water, estimated at a cost of \$5,000 a year. In the long run, it would be a lot cheaper if Maine families had the opportunities to treat their wells so that they didn't have to buy bottled water annually. Thank you.

The **SPEAKER**: The Chair recognizes the Representative from Canaan, Representative Stetkis.

Representative **STETKIS**: Thank you, Madam Speaker, Men and Women of the House. I stand in opposition to this bill. I have a real issue with, partially, the funding formula on this. What this will do, it will open up households with a median income of up to 120 percent to access funding for water treatment systems. In rural Maine, in Somerset County, Piscataquis County, Washington County, Aroostook County, our average median income is about \$36,000 a year for a family. Huge difference between, you know, the rural counties and those on the midcoast and southern Maine. In fact, in Cumberland County, York County, Sagadahoc and some of the others, families that make as much as \$70,000 a year would have access to this money, funded by people in our communities that make a mere \$36,000 a year. I don't think, I don't think that's the right way to be using our tax money. Folks in southern Maine that make \$70,000 a year, \$60,000 a year can afford their own water treatment systems and shouldn't be asking the rest of us to pay for it. Thank you.

The **SPEAKER**: The Chair recognizes the Representative from Belgrade, Representative Hilliard.

Representative **HILLIARD**: Thank you, Madam Speaker. Madam Speaker, Ladies and Gentlemen of the House, I live in an arsenic hot spot area. A very large percentage of my population has contaminated well water. So, I've always supported well water testing. Recently, I asked a constituent who I knew could afford to test her well why she had not tested it. She explained to me, "Well, if I test it and it's contaminated, I can't even afford the cheapest of purification systems." I think this bill is very well warranted and needed, certainly needed in my area. So, I ask you to support the Majority Committee Report. Thank you.

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

ROLL CALL NO. 144

YEA - Ackley, Alley, Austin B, Austin S, Babbidge, Bailey, Bates, Battle, Beebe-Center, Berry, Bickford, Blume, Bradstreet, Bryant, Campbell, Cardone, Casas, Cebra, Chace, Chapman, Collings, Cooper, Corey, Daughtry, DeChant, Denno, Duchesne, Dunphy, Farnsworth, Fay, Fecteau, Foley, Frey, Fuller, Gattine, Gillway, Golden, Grant, Grohman, Hamann, Handy, Harlow, Herbig, Herrick, Hickman, Higgins, Hilliard, Hogan, Hubbell, Hymanson, Jorgensen, Kinney M, Kornfield, Kumiega, Lawrence, Longstaff, Luchini, Madigan C, Madigan J, Marean, Martin J, Mastraccio, McCrea, McCreight, McElwee, McLean, Melaragno, Monaghan, Moonen, Nadeau, O'Neil, Parker, Parry, Perry, Pierce T, Pouliot, Reckitt, Riley, Rykerson, Sampson, Sanborn, Schneck, Sheats, Spear, Stanley, Stearns, Sylvester, Talbot Ross, Tepler, Terry,

Tipping, Tucker, Tuell, Vachon, Wallace, Ward, Warren, Zeigler, Madam Speaker.

NAY - Black, Craig, Dillingham, Espling, Farrin, Fredette, Gerrish, Ginzler, Guerin, Haggan, Hanington, Hanley, Harrington, Harvell, Hawke, Head, Johansen, Kinney J, Lockman, Lyford, Malaby, Mason, O'Connor, Ordway, Perkins, Picchiotti, Pierce J, Prescott, Reed, Sanderson, Seavey, Sherman, Simmons, Sirocki, Skolfield, Stetkis, Stewart, Strom, Sutton, Theriault, Timberlake, Turner, Wadsworth, White, Winsor, Wood.

ABSENT - Brooks, Grignon, Martin R, Pickett.

Yes, 99; No, 46; Absent, 4; Excused, 2.

99 having voted in the affirmative and 46 voted in the negative, with 4 being absent and 2 excused, and accordingly the Majority **Ought to Pass as Amended** Report was **ACCEPTED**.

The Resolve was **READ ONCE**. **Committee Amendment "A" (S-109)** was **READ** by the Clerk and **ADOPTED**.

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 as Amended by Committee Amendment "A" (S-109)** in concurrence.

Majority Report of the Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** reporting **Ought Not to Pass** on Bill "An Act To Modernize Data Collection and Reporting and Information Access for the Department of Labor"

(S.P. 525) (L.D. 1500)

Signed:

Senator:

BELLOWS of Kennebec

Representatives:

FECTEAU of Biddeford
BATES of Westbrook
DUNPHY of Old Town
HANDY of Lewiston
MASTRACCIO of Sanford
SYLVESTER of Portland

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

Signed:

Senators:

VOLK of Cumberland
LANGLEY of Hancock

Representatives:

AUSTIN of Gray
LOCKMAN of Amherst
STETKIS of Canaan
VACHON of Scarborough

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

READ.

Representative FECTEAU of Biddeford moved that the House **ACCEPT** the Majority **Ought Not to Pass** Report.

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

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

The SPEAKER: 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. 145

YEA - Ackley, Alley, Austin B, Babbidge, Bailey, Bates, Beebe-Center, Berry, Blume, Bryant, Cardone, Casas, Chapman, Collings, Cooper, Daughtry, DeChant, Denno, Duchesne, Dunphy, Farnsworth, Fay, Fecteau, Frey, Fuller, Gattine, Golden, Grant, Grohman, Hamann, Handy, Harlow, Herbig, Hickman, Hogan, Hubbell, Hymanson, Jorgensen, Kornfield, Kumiega, Lawrence, Longstaff, Luchini, Madigan C, Madigan J, Martin J, Mastraccio, McCrea, McCreight, McLean, Melaragno, Monaghan, Moonen, Nadeau, O'Neil, Hawke, Perry, Pierce T, Reckitt, Riley, Rykerson, Sanborn, Schneck, Sheats, Spear, Stanley, Sylvester, Talbot Ross, Tepler, Terry, Tipping, Tucker, Warren, Zeigler, Madam Speaker.

NAY - Austin S, Battle, Bickford, Black, Bradstreet, Campbell, Cebra, Chace, Corey, Craig, Dillingham, Espling, Farrin, Foley, Fredette, Gerrish, Gillway, Ginzler, Guerin, Haggan, Hanington, Hanley, Harrington, Harvell, Parker, Head, Herrick, Higgins, Hilliard, Johansen, Kinney J, Kinney M, Lockman, Lyford, Malaby, Marean, Mason, McElwee, O'Connor, Ordway, Parry, Perkins, Picchiotti, Pierce J, Pouliot, Prescott, Reed, Sampson, Sanderson, Seavey, Sherman, Simmons, Sirocki, Skolfield, Stearns, Stetkis, Stewart, Strom, Sutton, Theriault, Timberlake, Tuell, Turner, Vachon, Wadsworth, Wallace, Ward, White, Winsor, Wood.

ABSENT - Brooks, Grignon, Martin R, Pickett.

Yes, 75; No, 70; Absent, 4; Excused, 2.

75 having voted in the affirmative and 70 voted in the negative, with 4 being absent and 2 excused, and accordingly the Majority **Ought Not to Pass** Report was **ACCEPTED** in **NON-CONCURRENCE** and sent for concurrence.

Majority Report of the Committee on **TAXATION** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-118)** on Bill "An Act To Eliminate the State Income Tax for Maine Public Employees Retirement System Pensions"

(S.P. 174) (L.D. 513)

Signed:

Senator:

CHENETTE of York

Representatives:

TIPPING of Orono
COOPER of Yarmouth
GRANT of Gardiner
McCREIGHT of Harpswell
STANLEY of Medway
TERRY of Gorham

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "B" (S-119)** on same Bill.

Signed:

Senators:

DOW of Lincoln
CUSHING of Penobscot

Representatives:

BICKFORD of Auburn
HILLIARD of Belgrade
POULIOT of Augusta
WARD of Dedham

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 "B" (S-119)**.

READ.

On motion of Representative TIPPING of Orono, the Minority **Ought to Pass as Amended** Report was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "B" (S-119)** 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" (S-119)** in concurrence.

Majority Report of the Committee on **TAXATION** reporting **Ought Not to Pass** on Bill "An Act To Expand Property Tax Relief for Maine Residents"

(S.P. 315) (L.D. 959)

Signed:

Senators:

DOW of Lincoln
CUSHING of Penobscot

Representatives:

BICKFORD of Auburn
COOPER of Yarmouth
GRANT of Gardiner
HILLIARD of Belgrade
STANLEY of Medway
WARD of Dedham

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (S-120)** on same Bill.

Signed:

Senator:

CHENETTE of York

Representatives:

TIPPING of Orono
McCREIGHT of Harpswell
TERRY of Gorham

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

READ.

On motion of Representative TIPPING of Orono, the Majority **Ought Not to Pass** Report was **ACCEPTED** in concurrence.

Majority Report of the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** reporting **Ought Not to Pass** on Bill "An Act Regarding the Regulation of Rabbit Production for Local Consumption"

(H.P. 131) (L.D. 175)

Signed:

Senators:

DAVIS of Piscataquis
DILL of Penobscot

Representatives:

BLACK of Wilton
HIGGINS of Dover-Foxcroft
KINNEY of Knox
McELWEE of Caribou
SKOLFIELD of Weld

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

Signed:

Senator:

SAVIELLO of Franklin

Representatives:

DUNPHY of Old Town
ACKLEY of Monmouth
CHAPMAN of Brooksville
MARTIN of Sinclair
O'NEIL of Saco

READ.

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

Representative FREDETTE of Newport **REQUESTED** a roll call on the motion to **ACCEPT** the Minority **Ought to Pass** Report.

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

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

Representative **DAUGHTRY**: Thank you, Madam Speaker and Ladies and Gentlemen of the House. I rise in support of the pending motion. This is actually my bill. I brought this before the Legislature after meeting with many meat rabbit farmers throughout the state to try to clarify many of the meat slaughter laws that are currently on our books regarding rabbit consumption. This is really a small business promotion bill. It deals with very small-scale rabbit production facilities. We are talking fewer than a couple thousand rabbits. They still have to follow all the same slaughter rules, but it's saying that they will be able to slaughter at home and only sell locally. This is a great opportunity for us to help local farmers and also support small businesses, and I urge you to follow my light.

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

ROLL CALL NO. 146

YEA - Ackley, Alley, Austin B, Babbidge, Bailey, Bates, Beebe-Center, Berry, Blume, Bryant, Cardone, Casas, Cebra, Chapman, Collings, Cooper, Daughtry, DeChant, Denno, Duchesne, Dunphy, Farnsworth, Farrin, Fay, Fecteau, Frey, Fuller, Gattine, Golden, Grant, Grohman, Hamann, Handy, Harlow, Herbig, Hickman, Hogan, Hubbell, Hymanson, Jorgensen, Kornfield, Kumiega, Lawrence, Longstaff, Luchini, Madigan C, Madigan J, Martin J, Mastraccio, McCrea,

McCreight, McLean, Melaragno, Monaghan, Moonen, Nadeau, O'Neil, Parker, Perry, Pierce T, Prescott, Reckitt, Riley, Rykerson, Sampson, Sanborn, Schneck, Sheats, Spear, Stanley, Sutton, Sylvester, Talbot Ross, Tepler, Terry, Tipping, Tucker, Warren, Zeigler, Madam Speaker.

NAY - Austin S, Battle, Bickford, Black, Bradstreet, Campbell, Chace, Corey, Craig, Dillingham, Espling, Foley, Fredette, Gerrish, Gillway, Ginzler, Guerin, Haggan, Hanington, Hanley, Harrington, Harvell, Hawke, Head, Herrick, Higgins, Hilliard, Johansen, Kinney J, Kinney M, Lockman, Lyford, Malaby, Marean, Mason, McElwee, O'Connor, Ordway, Parry, Perkins, Picchiotti, Pierce J, Pouliot, Reed, Sanderson, Seavey, Sherman, Simmons, Sirocki, Skolfield, Stearns, Stetkis, Stewart, Strom, Theriault, Timberlake, Tuell, Turner, Vachon, Wadsworth, Wallace, Ward, White, Winsor, Wood.

ABSENT - Brooks, Grignon, Martin R, Pickett.

Yes, 80; No, 65; Absent, 4; Excused, 2.

80 having voted in the affirmative and 65 voted in the negative, with 4 being absent and 2 excused, and accordingly the Minority **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 **APPROPRIATIONS AND FINANCIAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-249)** on Bill "An Act To Expand the 1998 Special Retirement Plan To Include Detectives in the Office of Investigations within the Department of the Secretary of State, Bureau of Motor Vehicles"

(H.P. 67) (L.D. 99)

Signed:

Senator:

BREEN of Cumberland

Representatives:

GATTINE of Westbrook
FREY of Bangor
HUBBELL of Bar Harbor
JORGENSEN of Portland
MARTIN of Eagle Lake
TEPLER of Topsham

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

Signed:

Senators:

HAMPER of Oxford
KATZ of Kennebec

Representatives:

SEAVEY of Kennebunkport
SIROCKI of Scarborough
TIMBERLAKE of Turner
WINSOR of Norway

READ.

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

The Bill was **READ ONCE**. **Committee Amendment "A" (H-249)** 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-249)** and sent for concurrence.

Majority Report of the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-250)** on Bill "An Act To Restore Full Cost-of-living Increases for All Maine State Retirees"

(H.P. 510) (L.D. 726)

Signed:

Senators:

BREEN of Cumberland
KATZ of Kennebec

Representatives:

GATTINE of Westbrook
FREY of Bangor
HUBBELL of Bar Harbor
JORGENSEN of Portland
MARTIN of Eagle Lake
TEPLER of Topsham

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

Signed:

Senator:

HAMPER of Oxford

Representatives:

SEAVEY of Kennebunkport
SIROCKI of Scarborough
TIMBERLAKE of Turner
WINSOR of Norway

READ.

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

Representative ESPLING of New Gloucester **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 Norway, Representative Winsor.

Representative **WINSOR**: Thank you very much, Madam Speaker. Men and Women of the House, I just thought that I should call your attention to the fiscal note on this bill. It really is, we're required to pay the, this creates a massive unfunded liability in the retirement system. And the fiscal note would require us to pay \$799,456,110 before the bill would become effective. In other words, it's a 700, almost an \$800 million bill. Thank you.

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

Representative **ESPLING**: Thank you, Madam Speaker. Ladies and Gentlemen of the House, I put this bill in to support my constituents. I had several retirees in my district that were really concerned about the changes we had made and they were looking for some movement in trying to regain some of what they had hoped they would get in their pension benefit. I

did put this bill in for them, but I also really felt it was important that we do pay attention to the unfunded actuarial liability and so that was a real concern to me. So, I was hoping the committee would really look at this bill and maybe look at raising the COLA Benefit from the first 20,000 to maybe the first 30,000 or lowering the maximum COLA to no more than two percent. But increasing it to the first 30,000, I thought there were some ways that we could work this to perhaps give more benefit to our workers, retired workers, while also at the same time maintaining the progress that we have made in paying down that UAL. But, since that wasn't done in committee, I thank everyone for hearing the bill. I can't support the bill as it has come out with the rather large fiscal note and I do think it would undo some of the progress that we have made. I realize, at the same time, it has been a sacrifice for our state retirees and I recognize that, that's why I put the bill in, but I won't be supporting the bill at this time. Thank you.

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

ROLL CALL NO. 147

YEA - Ackley, Alley, Austin B, Austin S, Babbidge, Bailey, Bates, Battle, Beebe-Center, Berry, Bickford, Blume, Bryant, Cardone, Chapman, Collings, Cooper, Daughtry, DeChant, Denno, Duchesne, Dunphy, Farnsworth, Fay, Fecteau, Frey, Fuller, Gattine, Golden, Grant, Grohman, Hamann, Handy, Harlow, Herbig, Hickman, Hogan, Hubbell, Hymanson, Jorgensen, Kornfield, Kumiega, Lawrence, Longstaff, Luchini, Madigan C, Madigan J, Martin J, Mastraccio, McCrea, McCreight, McLean, Melaragno, Monaghan, Moonen, Nadeau, O'Neil, Parker, Perry, Picchiotti, Pierce T, Pouliot, Reckitt, Riley, Rykerson, Sanborn, Schneck, Sheats, Sherman, Skolfield, Spear, Stanley, Sylvester, Talbot Ross, Tepler, Terry, Tipping, Tucker, Warren, Zeigler, Madam Speaker.

NAY - Black, Bradstreet, Campbell, Casas, Cebra, Chace, Corey, Craig, Dillingham, Esping, Farrin, Foley, Fredette, Gerrish, Gillway, Ginzler, Guerin, Haggan, Hanington, Hanley, Harrington, Harvell, Hawke, Head, Herrick, Higgins, Hilliard, Johansen, Kinney J, Kinney M, Lockman, Lyford, Malaby, Marean, Mason, McElwee, O'Connor, Ordway, Parry, Perkins, Pierce J, Prescott, Reed, Sampson, Sanderson, Seavey, Simmons, Sirocki, Stearns, Stetkis, Stewart, Strom, Sutton, Theriault, Timberlake, Tuell, Turner, Vachon, Wadsworth, Wallace, Ward, White, Winsor, Wood.

ABSENT - Brooks, Grignon, Martin R, Pickett.

Yes, 81; No, 64; Absent, 4; Excused, 2.

81 having voted in the affirmative and 64 voted in the negative, with 4 being absent and 2 excused, and accordingly the Majority **Ought to Pass as Amended** Report was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (H-250)** 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-250)** and sent for concurrence.

Majority Report of the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-220)** on Bill "An Act To Increase the Penalty for Aggravated Sex Trafficking" (H.P. 183) (L.D. 250)

Signed:
Senators:

ROSEN of Hancock
CYRWAY of Kennebec
DIAMOND of Cumberland

Representatives:

COREY of Windham
GERRISH of Lebanon
HERRICK of Paris
MAREAN of Hollis
RECKITT of South Portland

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

Signed:

Representatives:

WARREN of Hallowell
LONGSTAFF of Waterville
NADEAU of Winslow
TALBOT ROSS of Portland

READ.

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

Majority Report of the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-223)** on Bill "An Act To Recodify and Revise Certain Portions of the Maine Criminal Code" (H.P. 280) (L.D. 374)

Signed:
Senators:

ROSEN of Hancock
DIAMOND of Cumberland

Representatives:

WARREN of Hallowell
COREY of Windham
GROHMAN of Biddeford
LONGSTAFF of Waterville
MAREAN of Hollis
NADEAU of Winslow
RECKITT of South Portland
TALBOT ROSS of Portland

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "B" (H-224)** on same Bill.

Signed:

Senator:

CYRWAY of Kennebec

Representatives:

GERRISH of Lebanon
HERRICK of Paris

READ.

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

The Bill was **READ ONCE**. **Committee Amendment "A" (H-223)** 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-223)** and sent for concurrence.

Majority Report of the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-219)** on Resolve, To Address Substance Use and Addiction in County Jails (H.P. 588) (L.D. 839)

Signed:

Senator:

DIAMOND of Cumberland

Representatives:

WARREN of Hallowell
GROHMAN of Biddeford
LONGSTAFF of Waterville
NADEAU of Winslow
RECKITT of South Portland
TALBOT ROSS of Portland

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

Signed:

Senators:

ROSEN of Hancock
CYRWAY of Kennebec

Representatives:

COREY of Windham
GERRISH of Lebanon
HERRICK of Paris
MAREAN of Hollis

READ.

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

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.

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 Lebanon, Representative Gerrish.

Representative **GERRISH**: Thank you, Madam Speaker, Men and Women of the House. I rise today to oppose the pending motion. The reason mainly is the fiscal note attached to this bill: \$300,000 for four months of substance abuse treatment. Sixty days in-house, 60 days outpatient, as well as at the Department of Corrections, Deputy Commissioner, testified there were language issues in the bill. Thank you.

The **SPEAKER**: The Chair recognizes the Representative from Cape Elizabeth, Representative Monaghan.

Representative **MONAGHAN**: Thank you, Madam Speaker, Men and Women of the House. This bill is actually a very important bill to address substance abuse and addiction in our county jails. We all know that we hear from a lot of sheriffs that see firsthand once an inmate leaves, sometimes they're just there with a trash bag in their hand and no place to go, and sometimes they end up going to a place that sends them right back to where they just left, and they end up going to a lot of times to homes where people are still using, or dealing with substance abuse and they enter into the same old, terrible downward spiral spin. So, this bill actually is a one year program. It is not a four-month program. It's a pilot project and the program is a four-month project that rotates, I believe four times, within that year for 30 inmates or 30 bed, and it is located in the Community Corrections Center in Portland. It's next to their jail but this is more for inmates that are allowed to be released during the day for a work release program and then they come back into the center and they will receive two to four hours of in-house counseling, treatment counseling with trained social workers in connection with the University of New England program. It also allows for opportunities for other inmates from other counties to participate in the program. And actually, I just got an email today or yesterday from the county correction center in that, they have already worked on a lot of the retrofitting for this area. It really is almost ready to go. There's not a lot of work that needs to be done in terms of housing the inmates or the counseling rooms. And the employees have been informed that the working hours may be shifted, and there are pictures available if you would like to take a look at what they're planning on doing if this bill does pass. So, I ask that you accept the Majority Ought to Pass as Amended and vote green. Thank you.

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

ROLL CALL NO. 148

YEA - Ackley, Alley, Austin B, Babbidge, Bailey, Bates, Battle, Beebe-Center, Berry, Blume, Bryant, Cardone, Casas, Chace, Chapman, Collings, Cooper, Daughtry, DeChant, Denno, Duchesne, Dunphy, Farnsworth, Fay, Fecteau, Frey, Fuller, Gattine, Golden, Grant, Grohman, Hamann, Handy, Harlow, Herbig, Hickman, Hogan, Hubbell, Hymanson, Jorgensen, Kornfield, Kumiega, Lawrence, Longstaff, Luchini, Madigan C, Madigan J, Martin J, Mastraccio, McCrea, McCreight, McLean, Melaragno, Monaghan, Moonen, Nadeau, O'Neil, Parker, Perry, Pierce T, Reckitt, Riley, Rykerson, Sanborn, Schneck, Sheats, Spear, Stanley, Sylvester, Talbot Ross, Tepler, Terry, Tipping, Tucker, Vachon, Warren, Zeigler, Madam Speaker.

NAY - Austin S, Bickford, Black, Bradstreet, Campbell, Cebra, Corey, Craig, Dillingham, Espling, Farrin, Foley, Fredette, Gerrish, Gillway, Ginzler, Guerin, Haggan, Hanington, Hanley, Harrington, Harvell, Head, Herrick, Higgins, Hilliard, Johansen, Kinney J, Kinney M, Lockman, Lyford, Marean, Mason, McElwee, O'Connor, Ordway, Parry, Perkins, Picchiotti, Pierce J, Pouliot, Prescott, Reed, Sampson, Sanderson, Seavey, Sherman, Simmons, Sirocki, Skolfield, Stearns, Stetkis, Stewart, Strom, Sutton, Theriault, Timberlake, Tuell, Turner, Wadsworth, Wallace, Ward, White, Winsor, Wood.

ABSENT - Brooks, Grignon, Hawke, Malaby, Martin R, Pickett.

Yes, 78; No, 65; Absent, 6; Excused, 2.

78 having voted in the affirmative and 65 voted in the negative, with 6 being absent and 2 excused, and accordingly the Majority **Ought to Pass as Amended** Report was **ACCEPTED**.

The Resolve was **READ ONCE**. **Committee Amendment "A" (H-219)** was **READ** by the Clerk and **ADOPTED**.

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 as Amended by Committee Amendment "A" (H-219)** and sent for concurrence.

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

Majority Report of the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-253)** on Resolve, To Establish the Committee To Study the Processing of Evidence from Sexual Assault Test Kits

(H.P. 791) (L.D. 1128)

Signed:
Senators:

ROSEN of Hancock
DIAMOND of Cumberland

Representatives:

WARREN of Hallowell
COREY of Windham
GROHMAN of Biddeford
HERRICK of Paris
LONGSTAFF of Waterville
RECKITT of South Portland
TALBOT ROSS of Portland

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

Signed:
Senator:

CYRWAY of Kennebec

Representatives:

GERRISH of Lebanon
MAREAN of Hollis
NADEAU of Winslow

READ.

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

The Resolve was **READ ONCE**. **Committee Amendment "A" (H-253)** was **READ** by the Clerk and **ADOPTED**.

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 as Amended by Committee Amendment "A" (H-253)** and sent for concurrence.

Majority Report of the Committee on **EDUCATION AND CULTURAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-197)** on Bill "An Act To Amend Teacher Evaluation Requirements"
(H.P. 449) (L.D. 633)

Signed:
Senators:

MAKER of Washington
MILLETT of Cumberland

Representatives:

KORNFIELD of Bangor
DAUGHTRY of Brunswick
FARNSWORTH of Portland
FULLER of Lewiston
GINZLER of Bridgton
McCREA of Fort Fairfield
PIERCE of Falmouth
SAMPSON of Alfred
STEWART of Presque Isle

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

Signed:
Senator:

LANGLEY of Hancock

Representative:

TURNER of Burlington

READ.

Representative KORNFIELD of Bangor 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 Fort Fairfield, Representative McCREA.

Representative **McCREA**: Thank you, Madam Speaker, Women and Men of the House. This is my bill, LD 633. It's probably my most important bill. It affects the most people in this state. It is about teacher evaluation. I taught school for a long, long time and to be honest with you, evaluation systems have been found wanting. Lately, over the last two or three years, a very, very good evaluation system has been, and is continuing to be, developed. There needs to be a little tweaking as with any new thing. In the bill currently, there is a requirement that grew out of the No Child Left Behind federal legislation that requires a significant portion of a teacher's evaluation be based on student assessment. Okay? That's a little bit of a problem. In fact, it's a big problem in a lot of ways because we have disengaged students, we also have a growing amount of people who are opting out of testing which leaves the teachers really in a quandary. This is so serious because it can affect a teacher's career because it is part of their evaluation. This bill will allow, at local option, school districts to replace that 20 percent, okay, based on student assessment with something else as approved by the Department of Education. The good Representative Ginzler from Bridgton offered an amendment to replace that 20 percent with student achievement to inform instruction. It's a great amendment. It really makes the bill much stronger and it was

much appreciated by all of us. I will say that this is a good opportunity for all of us, everybody in this good House, in this chamber, professes to be in support of the working people of Maine. Here is a chance to support the teachers, a large portion of that workforce, and I hope that all members of the House will support this non-partisan bill, and I was going to ask for a roll call but that's already been done. So, thank you very much, Madam 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. 149

YEA - Ackley, Alley, Austin B, Austin S, Babbidge, Bailey, Bates, Battle, Beebe-Center, Berry, Bickford, Black, Blume, Bradstreet, Bryant, Campbell, Cardone, Casas, Cebara, Chace, Chapman, Collings, Cooper, Corey, Craig, Daughtry, DeChant, Denno, Dillingham, Duchesne, Dunphy, Espling, Farnsworth, Farrin, Fay, Fecteau, Foley, Fredette, Frey, Fuller, Gattine, Gerrish, Gillway, Ginzler, Golden, Grant, Grohman, Guerin, Haggan, Hamann, Handy, Hanington, Hanley, Harlow, Harrington, Harvell, Head, Herbig, Herrick, Hickman, Higgins, Hilliard, Hogan, Hubbell, Hymanson, Johansen, Jorgensen, Kinney J, Kinney M, Kornfield, Kumiega, Lawrence, Longstaff, Luchini, Lyford, Madigan C, Madigan J, Malaby, Marean, Martin J, Mastraccio, McCreia, McCreight, McElwee, McLean, Melaragno, Monaghan, Moonen, Nadeau, O'Neil, Ordway, Parker, Parry, Perkins, Perry, Picchiotti, Pierce J, Pierce T, Pouliot, Prescott, Reckitt, Reed, Riley, Rykerson, Sampson, Sanborn, Schneck, Seavey, Sheats, Sherman, Simmons, Skolfield, Spear, Stanley, Stearns, Stetkis, Stewart, Strom, Sutton, Sylvester, Talbot Ross, Tepler, Terry, Theriault, Timberlake, Tipping, Tucker, Tuell, Vachon, Wadsworth, Wallace, Ward, Warren, White, Winsor, Wood, Zeigler, Madam Speaker.

NAY - Lockman, Mason, O'Connor, Sanderson, Sirocki, Turner.

ABSENT - Brooks, Grignon, Hawke, Martin R, Pickett.

Yes, 138; No, 6; Absent, 5; Excused, 2.

138 having voted in the affirmative and 6 voted in the negative, with 5 being absent and 2 excused, and accordingly the Majority **Ought to Pass as Amended** Report was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (H-197)** 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-197)** and sent for concurrence.

Majority Report of the Committee on **EDUCATION AND CULTURAL AFFAIRS** reporting **Ought Not to Pass** on Bill "An Act To Make the School Budgeting Process a Biennial Process"

(H.P. 518) (L.D. 738)

Signed:

Senators:

LANGLEY of Hancock
MAKER of Washington
MILLETT of Cumberland

Representatives:

FARNSWORTH of Portland
GINZLER of Bridgton
McCREA of Fort Fairfield
PIERCE of Falmouth
SAMPSON of Alfred
STEWART of Presque Isle
TURNER of Burlington

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-226)** on same Bill.

Signed:

Representatives:

DAUGHTRY of Brunswick
FULLER of Lewiston

READ.

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

Majority Report of the Committee on **EDUCATION AND CULTURAL AFFAIRS** reporting **Ought Not to Pass** on Resolve, To Create the Task Force To Study School Board Member Training

(H.P. 678) (L.D. 965)

Signed:

Senators:

LANGLEY of Hancock
MAKER of Washington

Representatives:

KORNFIELD of Bangor
GINZLER of Bridgton
SAMPSON of Alfred
STEWART of Presque Isle
TURNER of Burlington

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-251)** on same Resolve.

Signed:

Senator:

MILLETT of Cumberland

Representatives:

DAUGHTRY of Brunswick
FARNSWORTH of Portland
FULLER of Lewiston
McCREA of Fort Fairfield
PIERCE of Falmouth

READ.

Representative KORNFIELD of Bangor moved that the House **ACCEPT** the Minority **Ought to Pass as Amended** Report.

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

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

The same Representative **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: The Chair recognizes the Representative from Brooksville, Representative Chapman.

Representative **CHAPMAN**: Thank you, Madam Speaker, Friends and Colleagues of the House. The Maine School Management Association provides some school board training for school boards that ask for it, that are from municipalities that are members of the Maine School Management Association. What this bill does is seeks to look at ways in which that could be expanded because the number of school districts that utilize that training is rather small, and there are a number of school boards around the state that could be much more effective if they were to get a little bit of professional development, and so this bill is simply to move it along in a direction of finding out what makes the most sense for being able to do that. Thank you, Madam Speaker.

The SPEAKER: 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. 150

YEA - Ackley, Alley, Austin B, Babbidge, Bailey, Beebe-Center, Berry, Bryant, Chapman, Collings, Daughtry, Duchesne, Dunphy, Farnsworth, Fay, Fecteau, Fuller, Gattine, Golden, Grohman, Hamann, Harlow, Hickman, Hubbell, Jorgensen, Kumiega, Lawrence, Madigan C, Madigan J, Martin J, McCrea, McCreight, McLean, Melaragno, Monaghan, Moonen, O'Neil, Parker, Pierce T, Reckitt, Riley, Rykerson, Sanborn, Spear, Sylvester, Talbot Ross, Tepler, Terry, Tipping, Tucker, Warren, Zeigler, Madam Speaker.

NAY - Austin S, Bates, Battle, Bickford, Black, Blume, Campbell, Cardone, Casas, Cebra, Chace, Cooper, Corey, Craig, DeChant, Denno, Dillingham, Espling, Farrin, Foley, Fredette, Frey, Gerrish, Gillway, Ginzler, Grant, Guerin, Haggan, Handy, Hanington, Hanley, Harrington, Harvell, Hawke, Head, Herbig, Herrick, Higgins, Hilliard, Hogan, Hymanson, Johansen, Kinney J, Kinney M, Kornfield, Lockman, Longstaff, Luchini, Lyford, Marean, Mason, Mastraccio, McElwee, Nadeau, O'Connor, Ordway, Parry, Perkins, Perry, Picchiotti, Pierce J, Pouliot, Prescott, Reed, Sampson, Sanderson, Schneck, Seavey, Sheats, Sherman, Simmons, Sirocki, Skolfield, Stanley, Stearns, Stetkis, Stewart, Strom, Sutton, Theriault, Timberlake, Tuell, Turner, Vachon, Wadsworth, Wallace, Ward, White, Winsor, Wood.

ABSENT - Bradstreet, Brooks, Grignon, Malaby, Martin R, Pickett.

Yes, 53; No, 90; Absent, 6; Excused, 2.

53 having voted in the affirmative and 90 voted in the negative, with 6 being absent and 2 excused, and accordingly the Minority **Ought to Pass as Amended Report was NOT ACCEPTED.**

Subsequently, on motion of Representative KORNFIELD of Bangor, the Majority **Ought Not to Pass Report was ACCEPTED** and sent for concurrence.

Majority Report of the Committee on **EDUCATION AND CULTURAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-198)** on Bill "An Act To Improve the Student Transfer Process"

(H.P. 717) (L.D. 1015)

Signed:
Senators:

LANGLEY of Hancock
MAKER of Washington

MILLETT of Cumberland

Representatives:

KORNFIELD of Bangor
DAUGHTRY of Brunswick
FARNSWORTH of Portland
FULLER of Lewiston
McCREA of Fort Fairfield
PIERCE of Falmouth
SAMPSON of Alfred

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

Signed:

Representatives:

GINZLER of Bridgton
STEWART of Presque Isle
TURNER of Burlington

READ.

Representative KORNFIELD of Bangor 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: 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. 151

YEA - Ackley, Alley, Austin B, Austin S, Babbidge, Bailey, Bates, Battle, Beebe-Center, Berry, Black, Blume, Bradstreet, Bryant, Campbell, Cardone, Casas, Cebra, Chace, Chapman, Collings, Cooper, Corey, Daughtry, DeChant, Denno, Dillingham, Duchesne, Dunphy, Farnsworth, Farrin, Fay, Fecteau, Foley, Frey, Fuller, Gattine, Gerrish, Golden, Grant, Grohman, Haggan, Hamann, Handy, Hanley, Harlow, Harrington, Harvell, Hawke, Head, Herbig, Herrick, Hickman, Higgins, Hilliard, Hogan, Hubbell, Hymanson, Johansen, Jorgensen, Kinney J, Kornfield, Kumiega, Lawrence, Longstaff, Luchini, Lyford, Madigan C, Madigan J, Malaby, Marean, Martin J, Mastraccio, McCrea, McCreight, McLean, Melaragno, Monaghan, Moonen, Nadeau, O'Neil, Parker, Parry, Perry, Picchiotti, Pierce J, Pierce T, Pouliot, Prescott, Reckitt, Reed, Riley, Rykerson, Sampson, Sanborn, Schneck, Seavey, Sheats, Sherman, Simmons, Skolfield, Spear, Stanley, Stearns, Strom, Sylvester, Talbot Ross, Tepler, Terry, Theriault, Tipping, Tucker, Tuell, Vachon, Ward, Warren, Wood, Zeigler, Madam Speaker.

NAY - Bickford, Craig, Espling, Fredette, Gillway, Ginzler, Guerin, Hanington, Kinney M, Lockman, Mason, McElwee, O'Connor, Ordway, Perkins, Sanderson, Sirocki, Stetkis, Stewart, Sutton, Timberlake, Turner, Wadsworth, Wallace, White, Winsor.

ABSENT - Brooks, Grignon, Martin R, Pickett.

Yes, 119; No, 26; Absent, 4; Excused, 2.

119 having voted in the affirmative and 26 voted in the negative, with 4 being absent and 2 excused, and accordingly the Majority **Ought to Pass as Amended Report was ACCEPTED.**

The Bill was **READ ONCE. Committee Amendment "A" (H-198) 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-198)** and sent for concurrence.

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

Majority Report of the Committee on **ENVIRONMENT AND NATURAL RESOURCES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-215)** on Bill "An Act To Protect Firefighters by Establishing a Prohibition on the Sale and Distribution of New Upholstered Furniture Containing Certain Flame-retardant Chemicals"

(H.P. 138) (L.D. 182)

Signed:

Senators:

SAVIELLO of Franklin
GRATWICK of Penobscot

Representatives:

TUCKER of Brunswick
CAMPBELL of Orrington
DUCHESNE of Hudson
FAY of Raymond
HARLOW of Portland
MARTIN of Eagle Lake
PIERCE of Dresden
STROM of Pittsfield
ZEIGLER of Montville

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "B" (H-216)** on same Bill.

Signed:

Representative:

KINNEY of Limington

READ.

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

The SPEAKER: The Chair recognizes the Representative from Guilford, Representative Stearns.

Representative **STEARNS**: Madam Speaker, Ladies and Gentlemen of the House, when I first heard about this bill in the last session, or a similar bill, I talked to folks at one of our local businesses in the district that I represent. Often times, unfortunately, these types of issues become partisan, pitting business and industry against natural resources and health. LD 182 is an opportunity where we can make life safer for emergency response personnel and all citizens, anyone who owns furniture, while we still promote job growth in Maine. Guilford of Maine is a manufacturing business employing skilled workers in Piscataquis County making upholstery fabric that is sold to furniture manufacturers. As a matter of fact, they are now part of one of the largest corporations in North America that does so. It's a company that prides itself on providing world-class fabrics and materials with a strong commitment to safety. This is a business that set out to make furniture fabric without flame retardants many years ago. I

remember going down and looking at the river in 1987, April Fools' Day, that was the great flood, and watching barrels of material leave the basement of Guilford Industries at the time, and then reading weeks later about what was in those barrels. It was a chemical called tris. Lovely idea, the idea was to keep children and young people safe by putting the flame retardant in their pajamas. What we learned about tris later on made us rethink that and use other methods to keep people safe from fire, rather than put toxic chemicals into their clothing. They told me over at Guilford Industries that increasing demand for furniture without flame retardants actually helps their businesses. True Textile is a member of the Business and Institutional Furniture Manufacturers Association and the following statement is taken from that group's website. "BIFMA strongly supports the elimination of fire retardant chemicals of concern in all manufactured products. We believe the risks associated with the use of these chemicals are now appearing to be greater than the risk from furniture without fire retardants." So, if you care about jobs in Maine and you care about health, this bill might be just the right ticket at the right time. It reminds me in a way, except for the safety component, of New Balance and being able to put our military in American-made footwear that we know is made of good quality, right here in the U.S.A. and right here in our backyard in Maine. So, I urge you to support this bill. Thank you.

The SPEAKER: The Chair recognizes the Representative from Dresden, Representative Pierce.

Representative **PIERCE**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. We worked on this bill in our committee and we discovered a lot. As the good Representative from Guilford said, the company in Guilford had tris in their products. There was also inflammatized brominated chlorine and Firemaster 550. I know a lot about chemicals, my father was a professional firefighter who died of esophageal cancer. When they did an autopsy, his toxicology report came back with five of the known chemicals that would be on this list. Three were brominated chlorine which is in the Firemaster 550. One was a tris which is in the Firemaster 550. There's currently 11 chemicals that are used in this. Eight of them are on known watch lists as chemicals to be watched for known carcinogenics. We don't need chemicals in our residential furniture. There's no reason to put them in there, your kids are crawling around on this furniture. If you're okay with that, that's fine. I personally think this is a good bill and I urge you to support the motion and I request a roll call.

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

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

The SPEAKER: The Chair recognizes the Representative from Raymond, Representative Fay.

Representative **FAY**: Thank you, Madam Speaker. Last spring, even before I was elected to this body, I had the pleasure of touring the Raymond Public Safety Building. Chief Tupper in Raymond was a gracious host. I like to ask a lot of questions and he likes to talk, so it was a long tour and conversation. We talked about the challenges of recruiting volunteers in a rural community. We talked about the high risk of cancer and other health problems that firefighters face. We talked about the possible link between the two. Raymond has a pretty nice facility for a town our size. We have a meeting and training room, we have some communication capabilities, we have a big kitchen and good space for those on duty and not on duty on a call to relax or sleep. Raymond has shiny red

trucks which are always a hit with the kids on open house day. But one of the most important pieces of equipment that Raymond has that many other departments don't is an extractor washing machine. This machine can cost many thousands of dollars. It's used to wash the firefighters' gear after a fire. It's used to remove the toxic chemicals from their gear. Those toxic chemicals come from lots of different sources, Madam Speaker, but some of those chemicals come from the flame retardants used in the furniture cushions. Those flame retardants may actually add to the dense toxic smoke that causes so many challenges for firefighters and victims. They can cause the furniture to smolder, which can make it difficult to see and breathe and to escape. They don't necessarily make a fire situation safer. LD 182 is a step towards reducing the risk of chemical exposure. I've heard from hundreds of firefighters and their families, as I'm sure you all have as well. Let's take a step towards better health and safety for our first responders and their families. Let's take a step towards better health and safety for our families and pets. Please join me in voting in favor of LD 182. Thank you, Madam Speaker.

The SPEAKER: The Chair recognizes the Representative from China, Representative Theriault.

Representative **THERIAULT**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. I'm a fire chief. I've been on the fire service for 30 years. I've been an assistant fire chief for 15 years and I've been the fire chief for the last four years. In my small town, we had two members that had brain cancer. I say had, because one of them passed away two days before this bill was introduced. Now, it's pretty strange that a small town like China would have that much brain cancer in its firefighters. There's definitely a problem, that this bill is not going to be the cure-all, it's not going to be the solve-all, but it's certainly a step in the right direction. We want to keep our members as healthy as we can and I just feel that these chemicals are toxic, they don't need to be in these products. We certainly can do better. Most of the furniture companies have already done this but we need to make sure that they're all doing it, and maybe it will promote other products doing the same types of things. I hope that we can see that we don't want to support chemical companies and we want to support firefighters, because it's a health issue and I think we should be doing this.

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

Representative **VACHON**: Thank you, Madam Speaker. Madam Speaker, Ladies and Gentlemen of the House, we are all concerned about rising health care costs. The simple way to reduce health care costs is to reduce the risks, and this bill does exactly that. I hope that you will follow my light. Thank you.

The SPEAKER: The Chair recognizes the Representative from Deer Isle, Representative Kumiega.

Representative **KUMIEGA**: Thank you, Madam Speaker. Madam Speaker, Men and Women of the House, I'd like to thank the Environment and Natural Resources Committee for their many hours of thorough work on this legislation. Flame-retardant chemicals pose a toxic danger both to the families that live with the furniture day-to-day, as well as an acute risk to firefighters. We can't reduce the risk for past generations of firefighters and with the furniture already in homes, there's a limit to what we can do to reduce the risk for current generations of firefighters. But we can act today and reduce that risk for future generations, the sons and daughters of

today's firefighters. And so, I hope you will follow my light and vote green on this motion. Thank you.

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

ROLL CALL NO. 152

YEA - Ackley, Alley, Austin B, Austin S, Babbidge, Bailey, Bates, Battle, Beebe-Center, Berry, Bickford, Black, Blume, Bradstreet, Bryant, Campbell, Cardone, Casas, Cebra, Chace, Chapman, Collings, Cooper, Corey, Craig, Daughtry, DeChant, Denno, Dillingham, Duchesne, Dunphy, Farnsworth, Farrin, Fay, Fecteau, Foley, Fredette, Frey, Fuller, Gattine, Gerrish, Gillway, Ginzler, Golden, Grant, Grohman, Guerin, Haggan, Hamann, Handy, Hanington, Hanley, Harlow, Harrington, Harvell, Hawke, Head, Herbig, Herrick, Hickman, Higgins, Hilliard, Hogan, Hubbell, Hymanson, Johansen, Jorgensen, Kinney M, Kornfield, Kumiega, Lawrence, Lockman, Longstaff, Luchini, Lyford, Madigan C, Madigan J, Malaby, Marean, Martin J, Mason, Mastraccio, McCrea, McCreight, McElwee, McLean, Melaragno, Monaghan, Moonen, Nadeau, O'Connor, O'Neil, Ordway, Parker, Parry, Perkins, Perry, Picchiotti, Pierce J, Pierce T, Pouliot, Prescott, Reckitt, Reed, Riley, Rykerson, Sampson, Sanborn, Sanderson, Schneck, Seavey, Sheats, Sherman, Simmons, Skolfield, Spear, Stanley, Stearns, Stetkis, Stewart, Strom, Sutton, Sylvester, Talbot Ross, Tepler, Terry, Theriault, Tipping, Tucker, Tuell, Vachon, Wadsworth, Wallace, Ward, Warren, White, Wood, Zeigler, Madam Speaker.

NAY - Espling, Sirocki, Timberlake, Turner, Winsor.

ABSENT - Brooks, Grignon, Kinney J, Martin R, Pickett.

Yes, 139; No, 5; Absent, 5; Excused, 2.

139 having voted in the affirmative and 5 voted in the negative, with 5 being absent and 2 excused, and accordingly the Majority **Ought to Pass as Amended** Report was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (H-215)** 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-215)** and sent for concurrence.

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

Majority Report of the Committee on **ENVIRONMENT AND NATURAL RESOURCES** reporting **Ought Not to Pass** on Bill "An Act To Establish the Mining Advisory Panel"

(H.P. 476) (L.D. 685)

Signed:

Senators:

SAVIELLO of Franklin
GRATWICK of Penobscot
VOLK of Cumberland

Representatives:

TUCKER of Brunswick
CAMPBELL of Orrington
DUCHESNE of Hudson
FAY of Raymond

KINNEY of Limington
 MARTIN of Eagle Lake
 PIERCE of Dresden
 STROM of Pittsfield
 ZEIGLER of Montville

Majority Report of the Committee on **ENVIRONMENT AND NATURAL RESOURCES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-213)** on Bill "An Act To Amend the Laws Governing the Determination of a Wind Energy Development's Effect on the Scenic Character of Maine's Special Places"

(H.P. 629) (L.D. 901)

Signed:
 Senators:

GRATWICK of Penobscot
 VOLK of Cumberland

Representatives:

TUCKER of Brunswick
 CAMPBELL of Orrington
 DUCHESNE of Hudson
 FAY of Raymond
 KINNEY of Limington
 MARTIN of Eagle Lake
 PIERCE of Dresden
 STROM of Pittsfield

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "B" (H-214)** on same Bill.

Signed:
 Senator:

SAVIELLO of Franklin

Representatives:

HARLOW of Portland
 ZEIGLER of Montville

READ.

Representative TUCKER of Brunswick 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: 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. 153

YEA - Ackley, Alley, Austin B, Babbidge, Bailey, Bates, Beebe-Center, Berry, Black, Blume, Bradstreet, Bryant, Cardone, Casas, Chace, Collings, Cooper, Corey, Daughtry, DeChant, Denno, Duchesne, Dunphy, Farnsworth, Farrin, Fay, Fecteau, Frey, Fuller, Gattine, Gillway, Golden, Grant, Grohman, Hamann, Handy, Herbig, Hickman, Higgins, Hogan, Hubbell, Hymanson, Jorgensen, Kinney J, Kinney M, Kornfield, Kumiega, Lawrence, Longstaff, Luchini, Madigan C, Madigan J, Marean, Martin J, Mastraccio, McCrean, McCreight, McLean, Melaragno, Monaghan, Moonen, Nadeau, O'Neil, Parker, Perry, Pierce J, Pierce T, Prescott, Reckitt, Riley, Sampson, Sanborn, Schneck, Sheats, Simmons, Skolfield, Spear, Stanley, Stearns, Strom, Sylvester, Talbot Ross, Tepler, Terry, Tipping, Tucker, Tuell, Vachon, Warren, White, Wood, Zeigler, Madam Speaker.

NAY - Austin S, Battle, Bickford, Cebra, Chapman, Craig, Dillingham, Espling, Foley, Fredette, Gerrish, Ginzler, Guerin, Haggan, Hanington, Hanley, Harlow, Harrington, Harvell,

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-228)** on same Bill.

Signed:
 Representative:

HARLOW of Portland

READ.

Representative TUCKER of Brunswick moved that the House **ACCEPT** the Majority **Ought Not to Pass** Report.

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

Representative **CHAPMAN**: Thank you, Madam Speaker, Friends and Colleagues of the House. I won't spend a long time explaining what this bill was intended to do, but to point out that there are some topics that the Legislature considers that have a high technical complexity to them, such as metal mineral mining. And the Legislature, in those cases in which the topics are very complex, needs to find a way to access expertise to help the Legislature in understanding the topic area in order to create good public policy. This bill was an attempt to do that for the metal mineral mining issue. I've discovered that there is a common misconception about what expertise is, and how does the Legislature, or anyone, identify who are experts. So, I want to take about one minute to explain that to you because it was pertinent to the metal mineral mining issue, but it is also pertinent to other technologically complex issues with which we might deal in the future. Scientists have a way of identifying experts in their fields by what's called a peer review process in the publication of scientific work. What that means is, if I intend to publish some material that advances the state of the arts in a scientific sense, my submission to a journal is sent to peers of mine; that is to say, people who also have expertise in the field in which I'm trying to publish; people who are also knowledgeable about the area, to review the work that I've done to see whether it's credible. And very, very similarly to the peer process that we use in the Judicial Branch in juries to determine guilt or innocence of people convicted of crimes, the peer review process in identifying expertise in science is not flawless. In the same way that there are people who are convicted even though they are innocent, or people who are exonerated even though they are guilty, the same is true for scientific work. There are papers that are published that are not very credible and there are some credible papers that are denied publication through that process. But simply believing that we can identify who are experts by their apparent knowledge when they come before us as paid lobbyists is a serious mistake, and we have to learn how to rely upon the professionals in those areas of science and technology to identify who the people are who have a record of peer-reviewed published material, and rely upon their expertise in the matters that we deal with. So, I'll end it there. I'm happy to discuss with people at any time more detail on this matter. Thank you, Madam Speaker.

Subsequently, the Majority **Ought Not to Pass** Report was **ACCEPTED** and sent for concurrence.

Hawke, Head, Herrick, Hilliard, Johansen, Lockman, Lyford, Malaby, Mason, McElwee, O'Connor, Ordway, Parry, Perkins, Picchiotti, Pouliot, Reed, Rykerson, Sanderson, Seavey, Sherman, Sirocki, Stetkis, Stewart, Sutton, Theriault, Timberlake, Turner, Wadsworth, Wallace, Ward, Winsor.

Provide MaineCare Coverage for Dental Services to Adults with Intellectual Disabilities or Autistic Disorder" (H.P. 74) (L.D. 106)

Signed:
Senator: CHIPMAN of Cumberland

Representatives:
HYMANSON of York
CHACE of Durham
DENNO of Cumberland
HAMANN of South Portland
HEAD of Bethel
MADIGAN of Waterville
MALABY of Hancock
PARKER of South Berwick
PERRY of Calais

ABSENT - Brooks, Campbell, Grignon, Martin R, Pickett. Yes, 93; No, 51; Absent, 5; Excused, 2.
93 having voted in the affirmative and 51 voted in the negative, with 5 being absent and 2 excused, and accordingly the Majority **Ought to Pass as Amended** Report was **ACCEPTED**.

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

Signed:
Senators: BRAKEY of Androscoggin
HAMPER of Oxford

Representative:
SANDERSON of Chelsea

The Bill was **READ ONCE**. **Committee Amendment "A" (H-213)** was **READ** by the Clerk and **ADOPTED**.

READ.
On motion of Representative HYMANSON of York, the Majority **Ought to Pass as Amended** Report was **ACCEPTED**.

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

The Bill was **READ ONCE**. **Committee Amendment "A" (H-245)** was **READ** by the Clerk and **ADOPTED**.

Under further suspension of the rules the Bill was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (H-213)** and sent for concurrence.

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-245)** and sent for concurrence.

Majority Report of the Committee on **ENVIRONMENT AND NATURAL RESOURCES** reporting **Ought Not to Pass** on Bill "An Act To Regulate Hydraulic Fracturing To Prevent Threats to Maine's Drinking Water" (EMERGENCY) (H.P. 1003) (L.D. 1453)

Signed:
Senators: SAVIELLO of Franklin
GRATWICK of Penobscot
VOLK of Cumberland

Representatives:
TUCKER of Brunswick
CAMPBELL of Orrington
DUCHESNE of Hudson
FAY of Raymond
KINNEY of Limington
MARTIN of Eagle Lake
PIERCE of Dresden
STROM of Pittsfield

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-212)** on same Bill.

Majority Report of the Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-246)** on Bill "An Act To Inform Patients of the Dangers of Addicting Opioids" (H.P. 342) (L.D. 479)

Signed:
Senators: CHIPMAN of Cumberland
HAMPER of Oxford

Representatives:
HYMANSON of York
CHACE of Durham
DENNO of Cumberland
HAMANN of South Portland
HEAD of Bethel
MADIGAN of Waterville
MALABY of Hancock
PARKER of South Berwick
PERRY of Calais
SANDERSON of Chelsea

Signed:
Representatives: HARLOW of Portland
ZEIGLER of Montville

READ.
Representative TUCKER of Brunswick moved that the House **ACCEPT** the Majority **Ought Not to Pass** Report.

The **SPEAKER**: The Chair recognizes the Representative from Farmington, Representative Harvell.

Representative **HARVELL**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. This is one of my favorite bills all session. An act to regulate something that the geological forces billions of years ago proved we can't even do.

Subsequently, the Majority **Ought Not to Pass** Report was **ACCEPTED** and sent for concurrence.

Majority Report of the Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-245)** on Bill "An Act To

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

Signed:
Senator:

BRAKEY of Androscoggin

READ.

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

The Bill was **READ ONCE**. **Committee Amendment "A" (H-246)** 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-246)** and sent for concurrence.

Majority Report of the Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-247)** on Resolve, To Require the Department of Health and Human Services To Recalculate the MaineCare Reimbursement Rates for Services for Persons with Disabilities (EMERGENCY)

(H.P. 546) (L.D. 766)

Signed:
Senator:

CHIPMAN of Cumberland

Representatives:

HYMANSON of York
DENNO of Cumberland
HAMANN of South Portland
MADIGAN of Waterville
PARKER of South Berwick
PERRY of Calais

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

Signed:
Senators:

BRAKEY of Androscoggin
HAMPER of Oxford

Representatives:

CHACE of Durham
HEAD of Bethel
MALABY of Hancock
SANDERSON of Chelsea

READ.

Representative HYMANSON of York 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 Portland, Representative Farnsworth.

Representative **FARNSWORTH**: Thank you, Madam Speaker and Men and Women of the House. Just a couple of pieces of information about this. The only way in which many of these providers have of paying their employees is through MaineCare. And, my feeling was that, with the passage of the minimum wage law, that we needed to make adjustments so that the providers can indeed pass that on to their employees.

Now, there was a question about, will they be able to do that? My feeling is that given the current labor market, they will be dying to do that. They need to pay employees appropriately, and certainly those that are eligible for minimum wage, or better, should receive some of that attention. This is just prompting the Department to take a look at that. It's very important.

The SPEAKER: The Chair recognizes the Representative from Chelsea, Representative Sanderson.

Representative **SANDERSON**: Thank you, Madam Speaker, Men and Women of the House. This bill is a great example of elections have consequences and voting has consequences. Last year, this state, or a section of this state, voted to increase the minimum wage. Because of that, this bill is coming forward with a \$66 million fiscal note in the next year out beyond the next one. This is a boatload of money that we do not have at this time. This is a group of people that we have been trying to get an increase in the reimbursement rates for to support higher wages right now. We had a bill come before us in the last legislative session that said that we were underfunding our home health services by \$8 million a year. We passed that bill out of our committee and it went to the Appropriations Table and, unfortunately, there were other interests, other interests that folks considered much more important than making sure that the wages to these folks and services to the folks in our community were actually served. So, they only funded half of that. We have the other half of that bill coming forward this year and I hope that does get funded. But again, when decisions are made at the ballot box, when initiatives are put forward, we need to take a good hard look at what are the consequences. In committee, I asked a woman who serves, was testifying in favor of this who is here saying that now that this passed, we need more money. We won't be able to survive because of the wages. I specifically asked her, were you aware of this before the vote in November? And, I specifically asked her, did you share with members of your community what kind of challenge this would cause in the healthcare industry across the state. And she said, no, she thinks folks need higher wages. Now, while that may be true, while that may be true, you also need to take into consideration that forcing higher wages by legislation are going to have some unfortunate consequences. And as we can see, there are. Thank you. I will be voting in opposition to this bill.

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. 154

YEA - Ackley, Alley, Austin B, Babbidge, Bailey, Bates, Battle, Beebe-Center, Berry, Blume, Bryant, Cardone, Casas, Cebra, Chapman, Collings, Cooper, Daughtry, DeChant, Denno, Duchesne, Dunphy, Farnsworth, Fay, Fecteau, Frey, Fuller, Gattine, Golden, Grant, Grohman, Hamann, Handy, Harlow, Herbig, Hickman, Hogan, Hubbell, Hymanson, Jorgensen, Kornfield, Kumiega, Lawrence, Longstaff, Luchini, Madigan C, Madigan J, Martin J, Mastraccio, McCrea, McCreight, McLean, Melaragno, Monaghan, Moonen, Nadeau, O'Neil, Parker, Perry, Pierce T, Reckitt, Riley, Rykerson, Sanborn, Schneck, Sheats, Spear, Stanley, Sylvester, Talbot Ross, Tepler, Terry, Tipping, Tucker, Warren, Zeigler, Madam Speaker.

NAY - Austin S, Bickford, Black, Bradstreet, Campbell, Chace, Corey, Craig, Dillingham, Espling, Farrin, Foley, Fredette, Gerrish, Gillway, Ginzler, Guerin, Haggan, Hanington, Hanley, Harrington, Harvell, Hawke, Head, Herrick,

Higgins, Hilliard, Johansen, Kinney J, Kinney M, Lockman, Lyford, Malaby, Marean, Mason, McElwee, O'Connor, Ordway, Parry, Perkins, Picchiotti, Pierce J, Pouliot, Prescott, Reed, Sampson, Sanderson, Seavey, Sherman, Simmons, Sirocki, Skolfield, Stearns, Stetkis, Stewart, Strom, Sutton, Theriault, Timberlake, Tuell, Turner, Vachon, Wadsworth, Wallace, Ward, White, Winsor, Wood.

ABSENT - Brooks, Grignon, Martin R, Pickett.
Yes, 77; No, 68; Absent, 4; Excused, 2.

77 having voted in the affirmative and 68 voted in the negative, with 4 being absent and 2 excused, and accordingly the Majority **Ought to Pass as Amended** Report was **ACCEPTED**.

The Resolve was **READ ONCE**. **Committee Amendment "A" (H-247)** was **READ** by the Clerk and **ADOPTED**.

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 as Amended by Committee Amendment "A" (H-247)** and sent for concurrence.

Majority Report of the Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-248)** on Bill "An Act To Improve Access to Preventive, Cost-saving Dental Services"

(H.P. 898) (L.D. 1301)

Signed:
Senator:

CHIPMAN of Cumberland

Representatives:

HYMANSON of York
CHACE of Durham
DENNO of Cumberland
HAMANN of South Portland
MADIGAN of Waterville
MALABY of Hancock
PARKER of South Berwick
PERRY of Calais

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

Signed:
Senators:

BRAKEY of Androscoggin
HAMPER of Oxford

Representatives:

HEAD of Bethel
SANDERSON of Chelsea

READ.

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

The Bill was **READ ONCE**. **Committee Amendment "A" (H-248)** 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-248)** and sent for concurrence.

Majority Report of the Committee on **INLAND FISHERIES AND WILDLIFE** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-217)** on Bill "An Act To Adjust the Formula for Calculating the Allocation of Moose Permits for Hunting Lodges"

(H.P. 592) (L.D. 843)

Signed:
Senators:

CYRWAY of Kennebec
CARPENTER of Aroostook
WOODSOME of York

Representatives:

DUCHESNE of Hudson
ALLEY of Beals
LYFORD of Eddington
MASON of Lisbon
NADEAU of Winslow
REED of Carmel
STEARNS of Guilford
THERIAULT of China

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

Signed:
Representative:

HARLOW of Portland

READ.

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

The Bill was **READ ONCE**. **Committee Amendment "A" (H-217)** 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-217)** and sent for concurrence.

Majority Report of the Committee on **JUDICIARY** reporting **Ought Not to Pass** on Bill "An Act To Ensure Equity in the Awarding of Compensation for Tort Claims"

(H.P. 150) (L.D. 194)

Signed:
Senator:

HILL of York

Representatives:

MOONEN of Portland
BABBIDGE of Kennebunk
BAILEY of Saco
CARDONE of Bangor
McCREIGHT of Harpswell
RECKITT of South Portland

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

Signed:
Senators:

KEIM of Oxford
WHITTEMORE of Somerset

Representatives:

BRADSTREET of Vassalboro
 GUERIN of Glenburn
 JOHANSEN of Monticello
 SHERMAN of Hodgdon

READ.

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

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

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

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

Representative **CASÁS**: Thank you, Madam Speaker. Could I pose a question through the Chair?

The **SPEAKER**: The member may proceed.

Representative **CASÁS**: The member is just quite confused even after reading the bill, so could someone on the Ought to Pass side, or any member who can better explain this bill to me, just maybe give me a quick down-and-dirty on it? I'd appreciate it.

The **SPEAKER**: The Representative from Rockland, Representative Casás, has posed a question through the Chair for anyone who'd care to answer. The Chair recognizes the Representative from Bridgton, Representative Ginzler.

Representative **GINZLER**: Thank you very much. This is my bill, Madam Speaker, and I'm actually rising also in opposition to the motion. And in so doing, I think I can answer the question. May I proceed with my statement? Thank you very much. Madam Speaker, my bill, LD 194, reforms our current liability law from pure and several joint liability to one that is fair and just to all. The legal term "pure and several joint liability" places the responsibility for losses in an accident, for example, on any one of multiple defendants who has the greatest ability to pay, regardless of the degree of culpability. It is sometimes referred to as the "deep pockets" law. Two years ago, when I served on the Judiciary Committee, I and the members, at that time, heard testimony on a similar bill. I wrote the Minority Report of that bill and that report forms the bill before you today. I have resurrected this matter in the hope that I can convince a majority of this body to consider the issue on the grounds of, one, the fair share principle, and two, the unintended consequences of Maine's current and unfair liability law. A little history: Not long after last session's bill was heard, another bill came before the Judiciary Committee that seemingly had nothing to do with joint and several liability. It had to do with addressing the decay of our urban centers due to the process of foreclosure for abandoned housing. The surprise was that one of the inhibitors of stopping blight in Maine's urban centers was, guess what, pure joint and several liability. The current law hurts all Mainers in some way. Those of us who own a home and dutifully carry insurance are vulnerable. Businesses are especially vulnerable, and the cost of the additional risk that we all bear is buried, not only in insurance rates, but also in the prices of our goods and services. And lastly, businesses shy away from states that maintain this system of tort compensation. LD 194 retains pure and joint several liability for pecuniary or what we call economic damages, but it removes it for nonpecuniary or non-economic damages. So, this is a hybrid solution to reforming our current law. Maine is only 1 of 8 remaining states that still adjudicate under the pure joint and several principle. The reasoning for this solution, this proposal, this hybrid, is this:

out-of-pocket costs as a result of an injury need to be available to the victim without delay, and certainly, without the delay of prolonged litigation. These costs include medical treatment, loss of wages and repair of property, for examples. In other words, anything to make the victim whole. My bill does not change that at all, it would remain pure and several liability. However, nonpecuniary damages must also be considered, especially in the tragic event of a death. These include: loss of companionship of a spouse, emotional distress, pain and suffering, and the loss of future earnings, as examples. LD 194 requires that responsibility for these nonpecuniary, non-economic losses be based on culpability. Opposition testimony, both two years ago and two months ago, came from injured parties in tort claims, victims who suffered greatly as a result of an accident or of a crime, and who not only deserve our sympathy but also deserve compensation commensurate with that injury. The stories were heart-wrenching. I argue, however, that our desire to help the victim should not extend to hurting someone else unfairly and undeservedly in the process, and nothing, and I repeat, nothing in LD 194 prevents a lawsuit based on wrongful death regardless of the degree of culpability. I urge you to oppose this motion. Thank you.

The **SPEAKER**: The Chair recognizes the Representative from Bangor, Representative Cardone.

Representative **CARDONE**: Thank you, Madam Speaker. I rise in support of this motion of Ought Not to Pass and also in response to Representative Casás's question on this bill. I'm a member the Judiciary Committee, Madam Speaker. I've also spent 30 years litigating in the courts of the State of Maine, which includes litigation of tort law, both as a plaintiff's lawyer and a defense counsel. In response to Representative Casás's question, this bill undercuts a long history, in fact a cornerstone, of tort law in the State of Maine, and that cornerstone is joint and several liability. That's the phrase. It means that if a plaintiff, someone who is injured by the action of another, sues, and more than one party, all of the parties if they are at fault are jointly and severally liable to the plaintiff for the entirety of the plaintiff's damages. The plaintiff need not sue every single party in order to recover fully, and that's an advantage for the plaintiffs. Now, at first blush, that sounds like an unfair advantage or a disadvantage for those who may have contributed to the plaintiff's injury but did not or are not completely responsible for the plaintiff's injury. But, to say that that is the case, Madam Speaker, would be to ignore the second important procedural protection that we have in our judiciary system. And that is, under these rules of civil procedure, if one defendant is sued for having contributed to the plaintiff's injury and a second defendant is sued for having contributed to the plaintiff's injury, those two defendants can file what are called cross claims, or if there's a third or a fourth party who has not been sued who is also partially responsible, those defendants can file third party claims to bring all of the potential tortfeasors into the action, and to request an apportionment of liability from the court. So, in essence, even though the plaintiff does not have to apportion liability, the defendants all have the right to request that liability be proportioned so that they're only paying their fair share. To say that without this bill defendants are paying more than they should be paying is to ignore the protections and the procedures that our judicial system offers. Madam Speaker, I hope that I have addressed Representative Casás's question as well as stated the reasons for my opposition to this bill. There is no good to come of it for plaintiffs and essentially no additional protections given for defendants. I would also finally point out that the only people that testified in favor of this bill

were the trucking companies. You weren't hearing from doctors, health care providers, anybody else who was saying, "Yeah, this is a bad situation for us." So, thank you.

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

ROLL CALL NO. 155

YEA - Ackley, Alley, Austin B, Babbidge, Bailey, Bates, Battle, Beebe-Center, Berry, Blume, Bryant, Cardone, Casas, Chapman, Collings, Cooper, Daughtry, DeChant, Denno, Duchesne, Dunphy, Farnsworth, Fay, Fecteau, Frey, Fuller, Gattine, Golden, Grant, Hamann, Handy, Harlow, Herbig, Hickman, Higgins, Hogan, Hubbell, Hymanson, Jorgensen, Kornfield, Kumiega, Lawrence, Longstaff, Luchini, Madigan C, Madigan J, Martin J, Mastraccio, McCrea, McCreight, McLean, Melaragno, Monaghan, Moonen, O'Connor, O'Neil, Parker, Perry, Pierce T, Reckitt, Riley, Rykerson, Sanborn, Schneck, Sheats, Spear, Stanley, Sylvester, Talbot Ross, Tepler, Terry, Tipping, Tucker, Warren, Zeigler, Madam Speaker.

NAY - Austin S, Bickford, Black, Bradstreet, Campbell, Cebra, Chace, Corey, Craig, Dillingham, Espling, Farrin, Foley, Fredette, Gerrish, Gillway, Ginzler, Grohman, Guerin, Haggan, Hanington, Hanley, Harrington, Harvell, Hawke, Head, Herrick, Hilliard, Johansen, Kinney J, Kinney M, Lockman, Lyford, Malaby, Marean, Mason, McElwee, Ordway, Parry, Perkins, Picchiotti, Pierce J, Pouliot, Prescott, Reed, Sampson, Sanderson, Seavey, Sherman, Simmons, Sirocki, Skolfield, Stearns, Stetkis, Stewart, Strom, Sutton, Theriault, Timberlake, Tuell, Turner, Vachon, Wadsworth, Wallace, Ward, White, Winsor, Wood.

ABSENT - Brooks, Grignon, Martin R, Nadeau, Pickett.

Yes, 76; No, 68; Absent, 5; Excused, 2.

76 having voted in the affirmative and 68 voted in the negative, with 5 being absent and 2 excused, and accordingly the Majority **Ought Not to Pass** Report was **ACCEPTED** and sent for concurrence.

Majority Report of the Committee on **JUDICIARY** reporting **Ought Not to Pass** on Bill "An Act Amending the So-called 'Good Samaritan' Laws"

(H.P. 151) (L.D. 195)

Signed:

Senators:

KEIM of Oxford

HILL of York

WHITTEMORE of Somerset

Representatives:

MOONEN of Portland

BABBIDGE of Kennebunk

BAILEY of Saco

CARDONE of Bangor

GUERIN of Glenburn

McCREIGHT of Harpswell

RECKITT of South Portland

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

Signed:

Representatives:

BRADSTREET of Vassalboro

JOHANSEN of Monticello

SHERMAN of Hodgdon

READ.

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

Majority Report of the Committee on **JUDICIARY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-205)** on Bill "An Act To Clarify That Petitions for Certiorari to the Supreme Court of the United States Are Included within the Definition of Indigent Legal Services"

(H.P. 594) (L.D. 845)

Signed:

Senators:

HILL of York

WHITTEMORE of Somerset

Representatives:

MOONEN of Portland

BABBIDGE of Kennebunk

BAILEY of Saco

CARDONE of Bangor

McCREIGHT of Harpswell

RECKITT of South Portland

SHERMAN of Hodgdon

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

Signed:

Senator:

KEIM of Oxford

Representatives:

BRADSTREET of Vassalboro

GUERIN of Glenburn

JOHANSEN of Monticello

READ.

Representative MOONEN of Portland 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: 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. 156

YEA - Ackley, Alley, Austin B, Babbidge, Bailey, Bates, Battle, Beebe-Center, Berry, Blume, Bryant, Cardone, Casas, Chapman, Collings, Cooper, Daughtry, DeChant, Denno, Duchesne, Dunphy, Farnsworth, Fay, Fecteau, Frey, Fuller, Gattine, Golden, Grant, Grohman, Hamann, Handy, Harlow, Herbig, Hickman, Higgins, Hubbell, Hymanson, Jorgensen, Kornfield, Kumiega, Lawrence, Longstaff, Luchini, Madigan C, Madigan J, Martin J, Mastraccio, McCrea, McCreight, McLean, Melaragno, Monaghan, Moonen, Nadeau, O'Neil, Parker, Perry, Picchiotti, Pierce T, Reckitt, Riley, Rykerson, Sanborn, Schneck, Sheats, Sherman, Skolfield, Sylvester, Talbot Ross, Tepler, Terry, Tipping, Tucker, Warren, Zeigler, Madam Speaker.

NAY - Austin S, Bickford, Black, Bradstreet, Campbell, Cebra, Chace, Corey, Craig, Dillingham, Espling, Farrin, Foley, Fredette, Gerrish, Gillway, Ginzler, Guerin, Haggan, Hanington, Hanley, Harrington, Harvell, Hawke, Head, Herrick, Hilliard, Johansen, Kinney J, Kinney M, Lockman, Lyford, Malaby, Marean, Mason, McElwee, O'Connor, Ordway, Parry, Perkins, Pierce J, Pouliot, Prescott, Reed, Sampson, Sanderson, Seavey, Simmons, Sirocki, Stearns, Stetkis, Stewart, Strom, Sutton, Theriault, Timberlake, Tuell, Turner, Vachon, Wadsworth, Wallace, Ward, White, Winsor, Wood.

ABSENT - Brooks, Grignon, Hogan, Martin R, Pickett.
Yes, 79; No, 65; Absent, 5; Excused, 2.
79 having voted in the affirmative and 65 voted in the negative, with 5 being absent and 2 excused, and accordingly the Majority **Ought to Pass as Amended** Report was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (H-205)** 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-205)** and sent for concurrence.

Majority Report of the Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** reporting **Ought Not to Pass** on Bill "An Act To Increase Access to Vaccinations"

(H.P. 323) (L.D. 456)

Signed:
Senator:

BELLOWS of Kennebec

Representatives:

FECTEAU of Biddeford
BATES of Westbrook
DUNPHY of Old Town
HANDY of Lewiston
MASTRACCIO of Sanford
SYLVESTER of Portland

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-208)** on same Bill.

Signed:
Senators:

VOLK of Cumberland
LANGLEY of Hancock

Representatives:

AUSTIN of Gray
LOCKMAN of Amherst
STETKIS of Canaan
VACHON of Scarborough

READ.

On motion of Representative HERBIG of Belfast, **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" (H-209) on Bill "An Act To End Homelessness by Expanding Housing Support Services" (H.P. 683) (L.D. 970)

Signed:
Senators:

VOLK of Cumberland
BELLOWS of Kennebec
LANGLEY of Hancock

Representatives:

FECTEAU of Biddeford
BATES of Westbrook
DUNPHY of Old Town
HANDY of Lewiston
MASTRACCIO of Sanford
SYLVESTER of Portland
VACHON of Scarborough

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

Signed:
Representatives:

AUSTIN of Gray
LOCKMAN of Amherst
STETKIS of Canaan

READ.

Representative FECTEAU of Biddeford 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 Portland, Representative Jorgensen.

Representative **JORGENSEN**: Madam Speaker, Colleagues in the House, thank you very much. I don't need to tell anyone in this room that homelessness is a pernicious problem in Maine. People without steady housing, they jam our shelters, they use a disproportionate share of EMT and police services, and they're chronic users of our emergency rooms. The fact that this population tends to have both significant levels of untreated mental illness and addiction means that in addition to the public service health care burdens, they can be a real detriment to the quality of life in commerce in the municipalities where they congregate. Most large cities in America have accepted this problem as a fact of urban life, but recent research and practice have found that modest investments in an integrated affordable housing program called Housing First have shown real signs of breaking this cycle. It's not surprising to learn that housing turns out to be the master variable in homelessness. That sounds like a self-evident statement, but we've seen that when affordable housing is combined with some basic onsite supports and services, lives that have been out of control become stable and when that happens, all sorts and real and measurable social benefits begin to accrue, both to the individual residents and to the community. We have, for the last 10 years, been working with this model in my town of Portland. What we've seen there has been truly remarkable. There was a fact sheet on those earlier projects that is either on your desk or you can find it on the paperless chamber system under other items. And, I think you'll see that there is a few of the metrics there that I can site that will just show you

how effective this program has been. We opened a project called Logan Place, a Preble Street Project, in Portland in 2005. Its residents were chronically homeless adults with mental health, substance abuse, and dual diagnosis issues. Most have serious health issues due to long-term homelessness. This in a nutshell is not an easy bunch of tenants, Madam Speaker. But, once they entered stable housing with some appropriate supports, some remarkable things happened. A group that had logged 97 police contacts in the previous year before housing had just 19 the year after, 81 percent decrease. The same group accounting for 176 jail days before had just 21 the year following, an 88 percent decrease, 118 emergency department visits turned into just 39 for a 67 percent decrease, with similar percentage decreases in ambulance use. And not surprisingly, a group that accounted for a whopping 5,163 shelter nights was reduced to just 140 for a 97 percent decrease. A stabilized population is better able to work, better able to pay rent, and become productive members of the community. At the same time, I'll just point out that mental healthcare contact almost doubled during the same period though because the services were available onsite, the total cost for that care actually decreased because providers could approach their work that much more efficiently. This has been an astounding success in our experience in our community of Portland. It's helped people from our city and people from all over Maine. It's a simple bill that in its amended lower fiscal note form will provide the funding necessary to support about 15 new housing units and accompanying support services. And while it's not necessarily earmarked for a particular project, these are projects that are ready to go but want of some programmatic funding that this could provide. I'm not a social worker or a healthcare expert but I don't know of any other social service program that offers a similar amount of documentable bang for its buck. This is an approach that has been adopted widely in Utah, where, thanks to this approach to stable housing, state homelessness has declined by 91 percent. I'm saying that again, 91 percent, Madam Speaker. I urge you to look at this document on your desks to see how its working in Portland. I'm grateful for the 10-3 Report that this measure garnered in LCRED and I will be grateful to have everyone's support on it today. Thank you very much.

The SPEAKER: The Chair recognizes the Representative from Biddeford, Representative Fecteau.

Representative **FECTEAU**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. I wanted to emphasize I think what compelled a number of the committee members in LCRED to support this bill which was the Housing First Model has been adopted in a big way in the State of Utah. And it's not often a committee receives testimony from an executive of another state, and in this case the Lieutenant Governor of Utah, Spencer Cox, provided a letter to the LCRED Committee stating, "Utah has realized great success addressing our long-term homeless population by creating and providing services and permanent support of housing. This innovative solution to providing stable housing support and making available the supportive services for quality of life improvements has shown to stabilize those who would otherwise live in shelters or on the streets indefinitely. We believe it equates close to \$8,000 per person per year in savings to emergency systems through statewide housing and quality case management. I would encourage any community to consider adopting this strategy in supporting it as a way to free up emergency resources, provide an increase quality of life of those most vulnerable among us, and realign emergency shelters to address more short-term

needs instead of long-term housing options. I am confident that this approach is sound fiscally and is operationally showcasing outcomes that support its success. As you consider LD 970, I wish you the best in determining if this option is a successful model to adopt. Sincerely Spencer J. Cox, Lieutenant Governor of Utah." I think that speaks for itself, Madam Speaker and I urge this chamber to support the Ought to Pass motion.

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. 157

YEA - Ackley, Alley, Austin B, Babbidge, Bailey, Bates, Battle, Beebe-Center, Berry, Blume, Bryant, Cardone, Casas, Ceбра, Chapman, Collings, Cooper, Corey, Daughtry, DeChant, Denno, Duchesne, Dunphy, Farnsworth, Fay, Fecteau, Frey, Fuller, Gattine, Golden, Grant, Grohman, Hamann, Handy, Harlow, Harrington, Herbig, Hickman, Higgins, Hogan, Hubbell, Hymanson, Jorgensen, Kornfield, Kumiega, Lawrence, Longstaff, Luchini, Madigan C, Madigan J, Malaby, Marean, Martin J, Mastraccio, McCrea, McCreight, McElwee, McLean, Melaragno, Monaghan, Moonen, Nadeau, O'Neil, Parker, Perry, Pierce T, Pouliot, Reckitt, Riley, Rykerson, Sanborn, Schneck, Sheats, Spear, Stanley, Sylvester, Talbot Ross, Tepler, Terry, Tipping, Tucker, Tuell, Vachon, Warren, Wood, Zeigler, Madam Speaker.

NAY - Austin S, Bickford, Black, Bradstreet, Campbell, Chace, Craig, Dillingham, Espling, Farrin, Foley, Fredette, Gerrish, Gillway, Ginzler, Guerin, Haggan, Hanington, Hanley, Harvell, Hawke, Head, Herrick, Hilliard, Johansen, Kinney J, Kinney M, Lockman, Lyford, Mason, O'Connor, Ordway, Parry, Perkins, Picchiotti, Pierce J, Prescott, Reed, Sampson, Sanderson, Seavey, Sherman, Simmons, Sirocki, Skolfield, Stearns, Stetkis, Stewart, Strom, Sutton, Theriault, Timberlake, Turner, Wadsworth, Wallace, Ward, White, Winsor.

ABSENT - Brooks, Grignon, Martin R, Pickett.

Yes, 87; No, 58; Absent, 4; Excused, 2.

87 having voted in the affirmative and 58 voted in the negative, with 4 being absent and 2 excused, and accordingly the Majority **Ought to Pass as Amended Report was ACCEPTED.**

The Bill was **READ ONCE. Committee Amendment "A" (H-209) 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-209)** and sent for concurrence.

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

Majority Report of the Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-210)** on Bill "An Act Regarding Housing Insecurity of Older Citizens" (H.P. 707) (L.D. 1006)

Signed:
Senator: BELLOWS of Kennebec

Representatives:
FECTEAU of Biddeford
BATES of Westbrook
DUNPHY of Old Town
HANDY of Lewiston
MASTRACCIO of Sanford
SYLVESTER of Portland

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

Signed:
Senators: VOLK of Cumberland
LANGLEY of Hancock

Representatives:
AUSTIN of Gray
LOCKMAN of Amherst
STETKIS of Canaan
VACHON of Scarborough

READ.
On motion of Representative FECTEAU of Biddeford, the Majority **Ought to Pass as Amended** Report was **ACCEPTED.**

The Bill was **READ ONCE. Committee Amendment "A" (H-210)** 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-210)** 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-227)** on Bill "An Act To Create the Small Communities Tourism Fund" (H.P. 903) (L.D. 1306)

Signed:
Senator: BELLOWS of Kennebec

Representatives:
FECTEAU of Biddeford
AUSTIN of Gray
BATES of Westbrook
DUNPHY of Old Town
HANDY of Lewiston
MASTRACCIO of Sanford
SYLVESTER of Portland
VACHON of Scarborough

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

Signed:
Senators: VOLK of Cumberland
LANGLEY of Hancock

Representatives:
LOCKMAN of Amherst
STETKIS of Canaan

READ.
Representative FECTEAU of Biddeford moved that the House **ACCEPT** the Majority **Ought to Pass as Amended** Report.

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

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

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:** 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. 158

YEA - Ackley, Alley, Austin B, Babbidge, Bailey, Battle, Beebe-Center, Berry, Black, Blume, Bryant, Cardone, Chapman, Collings, Cooper, Daughtry, DeChant, Denno, Duchesne, Dunphy, Farnsworth, Fay, Fecteau, Frey, Fuller, Gattine, Golden, Grant, Grohman, Hamann, Handy, Harlow, Herbig, Hickman, Higgins, Hogan, Hubbell, Hymanson, Jorgensen, Kornfield, Kumiega, Lawrence, Longstaff, Luchini, Madigan C, Madigan J, Martin J, Mason, Mastraccio, McCrea, McCreight, McLean, Melaragno, Monaghan, Moonen, Nadeau, O'Neil, Parker, Perry, Pierce T, Reckitt, Riley, Rykerson, Sanborn, Schneck, Seavey, Sheats, Spear, Stanley, Sylvester, Talbot Ross, Tepler, Terry, Timberlake, Tipping, Tucker, Tuell, Warren, Wood, Zeigler, Madam Speaker.

NAY - Austin S, Bickford, Bradstreet, Campbell, Casas, Cebra, Chace, Corey, Craig, Dillingham, Espling, Farrin, Foley, Fredette, Gerrish, Gillway, Ginzler, Guerin, Haggan, Hanington, Hanley, Harrington, Harvell, Hawke, Head, Herrick, Hilliard, Johansen, Kinney J, Kinney M, Lockman, Lyford, Malaby, Marean, McElwee, O'Connor, Ordway, Parry, Perkins, Picchiotti, Pierce J, Pouliot, Prescott, Reed, Sampson, Sanderson, Sherman, Simmons, Sirocki, Skolfield, Stearns, Stetkis, Stewart, Strom, Sutton, Theriault, Turner, Vachon, Wadsworth, Wallace, Ward, White, Winsor.

ABSENT - Bates, Brooks, Grignon, Martin R, Pickett.
Yes, 81; No, 63; Absent, 5; Excused, 2.

81 having voted in the affirmative and 63 voted in the negative, with 5 being absent and 2 excused, and accordingly the Majority **Ought to Pass as Amended** Report was **ACCEPTED.**

The Bill was **READ ONCE. Committee Amendment "A" (H-227)** 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-227)** and sent for concurrence.

Majority Report of the Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** reporting **Ought Not to Pass** on Bill "An Act To Allow Municipalities To Opt Not To Enforce the Maine Uniform Building and Energy Code"

(H.P. 966) (L.D. 1392)

Signed:
Senator:

BELLOWS of Kennebec

Representatives:

FECTEAU of Biddeford
BATES of Westbrook
DUNPHY of Old Town
HANDY of Lewiston
MASTRACCIO of Sanford
SYLVESTER of Portland

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-211)** on same Bill.

Signed:
Senator:

VOLK of Cumberland

Representatives:

AUSTIN of Gray
LOCKMAN of Amherst
STETKIS of Canaan
VACHON of Scarborough

READ.

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

Majority Report of the Joint Select Committee on **MARIJUANA LEGALIZATION IMPLEMENTATION** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-221)** on Bill "An Act To Change the Oversight Agency for Recreational Marijuana from the Department of Agriculture, Conservation and Forestry to the Department of Administrative and Financial Services, Bureau of Alcoholic Beverages and Lottery Operations and To Allocate Funds for Implementation" (EMERGENCY)

(H.P. 176) (L.D. 243)

Signed:
Senators:

KATZ of Kennebec
DESCHAMBAULT of York
DION of Cumberland
MAKER of Washington
ROSEN of Hancock

Representatives:

PIERCE of Falmouth
ACKLEY of Monmouth
BICKFORD of Auburn
BLUME of York
COREY of Windham
HAMANN of South Portland
HARVELL of Farmington
JORGENSEN of Portland
MAREAN of Hollis

MONAGHAN of Cape Elizabeth
PERKINS of Oakland

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "B" (H-222)** on same Bill.

Signed:

Representative:

HICKMAN of Winthrop

READ.

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

The Bill was **READ ONCE. Committee Amendment "A" (H-221)** 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-221)** 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-199)** on Bill "An Act To Promote Efficiency and Accountability to Taxpayers in Personal Services Contracting"

(H.P. 520) (L.D. 740)

Signed:

Senator:

DESCHAMBAULT of York

Representatives:

MARTIN of Sinclair
BEEBE-CENTER of Rockland
BRYANT of Windham
HOGAN of Old Orchard Beach
MADIGAN of Rumford
SPEAR of South Thomaston

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

Signed:

Senators:

DAVIS of Piscataquis
KEIM of Oxford

Representatives:

GRIGNON of Athens
HARRINGTON of Sanford
ORDWAY of Standish
PICKETT of Dixfield

READ.

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

Majority Report of the Committee on **STATE AND LOCAL GOVERNMENT** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-200)** on Bill "An Act To Require Maine Governmental Departments That Affect Citizen Health and Safety To Staff at Least 75 Percent of Available Positions"

(H.P. 829) (L.D. 1192)

Signed:

Senator:

DESCHAMBAULT of York

Representatives:

MARTIN of Sinclair
BEEBE-CENTER of Rockland
BRYANT of Windham
HOGAN of Old Orchard Beach
MADIGAN of Rumford
SPEAR of South Thomaston

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

Signed:

Senators:

DAVIS of Piscataquis
KEIM of Oxford

Representatives:

GRIGNON of Athens
HARRINGTON of Sanford
ORDWAY of Standish
PICKETT of Dixfield

READ.

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

On motion of Representative FREDETTE of Newport, **TABLED** pending the motion of Representative BRYANT of Windham to **ACCEPT** the Majority **Ought to Pass as Amended** Report and later today assigned.

Majority Report of the Committee on **STATE AND LOCAL GOVERNMENT** reporting **Ought Not to Pass** on Bill "An Act To Clarify Access to Landlocked Ancient and Family Burying Grounds and To Clarify the Definition of Ancient Burying Ground"

(H.P. 936) (L.D. 1346)

Signed:

Senators:

DAVIS of Piscataquis
DESCHAMBAULT of York
KEIM of Oxford

Representatives:

MARTIN of Sinclair
BRYANT of Windham
GRIGNON of Athens
HARRINGTON of Sanford
HOGAN of Old Orchard Beach
MADIGAN of Rumford
ORDWAY of Standish
PICKETT of Dixfield
SPEAR of South Thomaston

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-201)** on same Bill.

Signed:

Representative:

BEEBE-CENTER of Rockland

READ.

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

Majority Report of the Committee on **TAXATION** reporting **Ought Not to Pass** on Bill "An Act To Increase the Homestead Property Tax Exemption for Certain Persons Who Are at Least 75 Years of Age"

(H.P. 60) (L.D. 73)

Signed:

Senators:

DOW of Lincoln
CHENETTE of York
CUSHING of Penobscot

Representatives:

TIPPING of Orono
BICKFORD of Auburn
COOPER of Yarmouth
GRANT of Gardiner
HILLIARD of Belgrade
McCREIGHT of Harpswell
POULIOT of Augusta
STANLEY of Medway
TERRY of Gorham

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-230)** on same Bill.

Signed:

Representative:

WARD of Dedham

READ.

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

Majority Report of the Committee on **TAXATION** reporting **Ought Not to Pass** on Bill "An Act To Exempt Diapering Products from the Sales Tax"

(H.P. 63) (L.D. 76)

Signed:

Senators:

DOW of Lincoln
CUSHING of Penobscot

Representatives:

BICKFORD of Auburn
GRANT of Gardiner
HILLIARD of Belgrade
POULIOT of Augusta
WARD of Dedham

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-231)** on same Bill.

Signed:
Senator:

CHENETTE of York

Representatives:

TIPPING of Orono
COOPER of Yarmouth
McCREIGHT of Harpswell
STANLEY of Medway
TERRY of Gorham

READ.

Representative TIPPING of Orono moved that the House **ACCEPT** the Minority **Ought to Pass as Amended** Report.

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

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

The same Representative **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**: The Chair recognizes the Representative from Topsham, Representative Tepler.

Representative **TEPLER**: Thank you, Madam Speaker and Men and Women of the Maine House. I rise in support of the present motion, Accepting the Ought to Pass as Amended Report. This bill addresses an issue that is contained in this book which I'm holding...

The **SPEAKER**: The member will defer. The member is improper. The member may proceed.

The Chair reminded Representative **TEPLER** of Topsham that no props were allowed during the floor debate.

Representative **TEPLER**: I apologize, Madam Speaker. There exists a book which is called, at times, "The Red Book." The current version of "The Red Book" is green. This book contains all of the taxes we forego collecting in the State of Maine and the majority of those taxes that we forego collecting in the State of Maine come from either businesses or, in some cases, grocery staples. However, there are items in there which may come as a surprise to some members, such as an exemption for packaging materials for businesses that ship items. This costs us approximately \$31 million a year. The bill before you asks for an exemption from taxes for young families in Maine. Every young family requires diapers. Every young family with children, regardless of how old the parents are, their children do need diapers and we have a problem in Maine with workforce. We need to have more young families living in Maine. This is a small effort of \$1.5 million to address the issue of how we're going to support young families in Maine. And, I have requested that the Tax Committee consider filing this under the idea of necessities of life. If diapers aren't necessities of life, what are? So, I ask you to follow my light on this bill and support the idea of supporting young families and their necessities. Thank you very much.

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

Representative **FREDETTE**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. While I understand the merits of the argument in regarding exempting diapering products from the sales tax, I've been over here in my corner trying to add up about what we've spent today in terms of expanding government access to dental services and retirement pensions and this and that, and I think we're about at \$1.2 billion and so I will not be supporting this particular bill

because I do think that at some point in time you need to be a little bit fiscally responsible in regards to spending. Thank you.

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

Representative **COOPER**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. I just wanted to state the obvious. If you leave a dirty diaper on a baby too long, it's a health hazard, a serious health hazard as any parent knows. They get rashes which can become infected, many...

The **SPEAKER**: The member will defer. While any member in this body is talking, all members will please remain quiet and if you have conversations, please take them outside so that we can all hear each other, and that is the respect we all owe each other. The member may proceed.

Representative **COOPER**: Thank you, Madam Speaker. It's considerable discomfort to the child. It's something that is a necessity of life for that baby. And the fiscal note for this is relatively small. I understand that we've been chalking up quite a list today. But, all that will be worked out as we complete the budget process, and that does not provide an excuse for agreeing to a small tax exemption in the scheme of things, it is very small especially compared to the kinds of tax exemptions we've given to wealthy corporations on many occasions. Think of your babies, think of your grandchildren. Thank you.

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

Representative **PRESCOTT**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. It's called personal responsibility. You plan to have a family? You need to plan to support them.

The **SPEAKER**: 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. 159

YEA - Ackley, Alley, Austin B, Babbidge, Bailey, Battle, Beebe-Center, Berry, Blume, Bryant, Cardone, Casas, Chapman, Collings, Cooper, Daughtry, DeChant, Denno, Duchesne, Dunphy, Farnsworth, Fay, Fecteau, Frey, Fuller, Gattine, Golden, Grohman, Hamann, Handy, Harlow, Harrington, Herbig, Hickman, Hogan, Hubbell, Hymanson, Jorgensen, Kornfield, Kumiega, Lawrence, Longstaff, Luchini, Madigan C, Martin J, Mastraccio, McCrea, McCreight, McLean, Melaragno, Monaghan, Moonen, Nadeau, O'Neil, Parker, Perry, Pierce T, Reckitt, Riley, Rykerson, Sanborn, Schneck, Spear, Stanley, Sylvester, Talbot Ross, Tepler, Terry, Tipping, Tucker, Warren, Zeigler, Madam Speaker.

NAY - Austin S, Bickford, Black, Bradstreet, Campbell, Cebra, Chace, Corey, Craig, Dillingham, Espling, Farrin, Foley, Fredette, Gerrish, Gillway, Ginzler, Grant, Guerin, Haggan, Hanington, Hanley, Harvell, Hawke, Head, Herrick, Higgins, Hilliard, Johansen, Kinney J, Kinney M, Lockman, Lyford, Madigan J, Malaby, Mearan, Mason, McElwee, O'Connor, Ordway, Parry, Perkins, Picchiotti, Pierce J, Pouliot, Prescott, Reed, Sampson, Sanderson, Seavey, Sheats, Sherman, Simmons, Sirocki, Skolfield, Stearns, Stetkis, Stewart, Strom, Sutton, Theriault, Timberlake, Tuell, Turner, Vachon, Wadsworth, Wallace, Ward, White, Winsor, Wood.

ABSENT - Bates, Brooks, Grignon, Martin R, Pickett.

Yes, 73; No, 71; Absent, 5; Excused, 2.

73 having voted in the affirmative and 71 voted in the negative, with 5 being absent and 2 excused, and accordingly the Minority **Ought to Pass as Amended** Report was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (H-231)** 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-231)** and sent for concurrence.

Majority Report of the Committee on **TAXATION** reporting **Ought Not to Pass** on Bill "An Act To Tax the Extraction of Water for Certain Commercial Purposes and Fund Water Quality Programs"

(H.P. 356) (L.D. 493)

Signed:

Senators:

DOW of Lincoln
CHENETTE of York
CUSHING of Penobscot

Representatives:

TIPPING of Orono
BICKFORD of Auburn
HILLIARD of Belgrade
POULIOT of Augusta
STANLEY of Medway
TERRY of Gorham
WARD of Dedham

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-239)** on same Bill.

Signed:

Representatives:

COOPER of Yarmouth
GRANT of Gardiner
McCREIGHT of Harpswell

READ.

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

Majority Report of the Committee on **TAXATION** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-238)** on Bill "An Act To Support Employees with Significant Commutes"

(H.P. 675) (L.D. 947)

Signed:

Senator:

CHENETTE of York

Representatives:

TIPPING of Orono
COOPER of Yarmouth
GRANT of Gardiner
McCREIGHT of Harpswell
STANLEY of Medway
TERRY of Gorham

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

Signed:

Senators:

DOW of Lincoln
CUSHING of Penobscot

Representatives:

BICKFORD of Auburn
HILLIARD of Belgrade
POULIOT of Augusta
WARD of Dedham

READ.

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

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

Representative **FREDETTE**: Thank you, Madam Speaker. While I think it's important that we support employees with significant commutes, I request a roll call.

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

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

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

Representative **HERBIG**: Madam Speaker, Women and Men of the House, I first considered submitting this legislation when one of the largest employers in my district highlighted the fact that many of their employees traveled over 50 miles to get to work every day. It's a challenge for them to recruit and retain qualified employees who are willing to put that kind of time behind the wheel on a daily basis. It's common in Waldo County for residents to travel to Augusta, Waterville, Bangor, or further, daily, and we're not alone. With the closure of traditional industries in their backyards, more rural Mainers have to travel farther away to find a good-paying job. LD 947 supports employees with significant commutes by establishing an income tax credit for a Mainer with a roundtrip commute of at least 70 miles to and from their primary residence to their primary place of employment, with a maximum tax credit of \$1,000 per person. Businesses will expand their ability to attract or retain workers from larger geographic areas. Workers will have an incentive to widen their job search to the rest of Maine while continuing to live in the communities they grew up in. We often talk about lowering the cost of doing business in Maine in this chamber. What about lowering the burdens on our workforce and their families? LD 947 is a straightforward approach to supporting Maine workers living in rural Maine. Now more than ever, folks in rural Maine need to know we're working to make their lives a little bit better here in Augusta. LD 947 does just that. Thank you, Madam Speaker.

The SPEAKER: The Chair recognizes the Representative from Canaan, Representative Stetkis.

Representative **STETKIS**: Thank you, Madam Speaker, Men and Women of the House. I guess I'm a little curious, if we want to lower the burdens for working people in the State of Maine, wouldn't it just be easier to not take so much tax money from them in the beginning and then give it back to them in return? Thank you.

The SPEAKER: So, the Chair will remind members and I really am trying to give leeway. For example, when we're talking about reports and someone wants to argue the opposite report than what is being offered, I try to give people leeway. But I will remind members that debate is limited to the bill at hand. We will have plenty of opportunity to debate tax bills, as evidenced today, and as we will see in the future.

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. 160

YEA - Ackley, Alley, Austin B, Babbidge, Bailey, Beebe-Center, Berry, Blume, Bryant, Cardone, Chapman, Collings, Cooper, Daughtry, DeChant, Denno, Duchesne, Dunphy, Farnsworth, Fay, Fecteau, Frey, Fuller, Gattine, Golden, Grant, Hamann, Handy, Harlow, Herbig, Hickman, Hogan, Hubbell, Hymanson, Jorgensen, Kornfield, Kumiega, Lawrence, Longstaff, Luchini, Madigan C, Madigan J, Martin J, Mastraccio, McCrea, McCreight, McLean, Melaragno, Monaghan, Moonen, Nadeau, O'Neil, Parker, Perry, Pierce T, Reckitt, Riley, Rykerson, Sanborn, Schneck, Sheats, Spear, Stanley, Sylvester, Talbot Ross, Tepler, Terry, Tipping, Tucker, Warren, Zeigler, Madam Speaker.

NAY - Austin S, Battle, Bickford, Black, Bradstreet, Campbell, Casas, Cebra, Chace, Corey, Craig, Dillingham, Espling, Farrin, Foley, Fredette, Gerrish, Gillway, Ginzler, Guerin, Haggan, Hanington, Hanley, Harrington, Harvell, Hawke, Head, Herrick, Higgins, Hilliard, Johansen, Kinney J, Kinney M, Lockman, Lyford, Malaby, Marean, Mason, McElwee, O'Connor, Ordway, Parry, Perkins, Picchiotti, Pierce J, Pouliot, Prescott, Reed, Sampson, Sanderson, Seavey, Sherman, Simmons, Sirocki, Skolfield, Stearns, Stetkis, Stewart, Strom, Sutton, Theriault, Timberlake, Tuell, Turner, Vachon, Wadsworth, Wallace, Ward, White, Winsor, Wood.

ABSENT - Bates, Brooks, Grignon, Grohman, Martin R, Pickett.

Yes, 72; No, 71; Absent, 6; Excused, 2.

72 having voted in the affirmative and 71 voted in the negative, with 6 being absent and 2 excused, and accordingly the Majority **Ought to Pass as Amended** Report was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (H-238)** 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-238)** and sent for concurrence.

Majority Report of the Committee on **TAXATION** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-235)** on Bill "An Act To Support Maine Families by Increasing the Dependent Care Credit"

(H.P. 807) (L.D. 1144)

Signed:

Senator:

CHENETTE of York

Representatives:

TIPPING of Orono
BICKFORD of Auburn
COOPER of Yarmouth
GRANT of Gardiner
McCREIGHT of Harpswell
POULIOT of Augusta
STANLEY of Medway
TERRY of Gorham

WARD of Dedham

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

Signed:

Senators:

DOW of Lincoln

CUSHING of Penobscot

Representative:

HILLIARD of Belgrade

READ.

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

Majority Report of the Committee on **TAXATION** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-234)** on Bill "An Act To Encourage Family-friendly Businesses through a Tax Credit for Child Care"

(H.P. 914) (L.D. 1317)

Signed:

Senators:

DOW of Lincoln

CHENETTE of York

CUSHING of Penobscot

Representatives:

TIPPING of Orono

BICKFORD of Auburn

COOPER of Yarmouth

GRANT of Gardiner

HILLIARD of Belgrade

McCREIGHT of Harpswell

STANLEY of Medway

TERRY of Gorham

WARD of Dedham

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

Signed:

Representative:

POULIOT of Augusta

READ.

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

Eight Members of the Committee on **TAXATION** report in Report "A" **Ought to Pass as Amended by Committee Amendment "A" (H-232)** on Bill "An Act To Extend the Veteran Property Tax Exemption to Veterans Who Have Served on Active Duty"

(H.P. 222) (L.D. 289)

Signed:

Senators:

CHENETTE of York

CUSHING of Penobscot

Representatives:

BICKFORD of Auburn

COOPER of Yarmouth

HILLIARD of Belgrade
POULIOT of Augusta
STANLEY of Medway
WARD of Dedham

Four Members of the same Committee report in Report "B"
Ought to Pass as Amended by Committee Amendment "B"
(H-233) on same Bill.

Signed:

Representatives:

TIPPING of Orono
GRANT of Gardiner
McCREIGHT of Harpswell
TERRY of Gorham

One Member of the same Committee reports in Report "C"
Ought Not to Pass on same Bill.

Signed:

Senator:

DOW of Lincoln

READ.

On motion of Representative TIPPING of Orono, Report "A"
Ought to Pass as Amended was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A"**
(H-232) 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-232)** and sent for concurrence.

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

CONSENT CALENDAR

First Day

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

(S.P. 252) (L.D. 807) Bill "An Act Regarding
Guardianships" Committee on **JUDICIARY** reporting **Ought to
Pass**

(S.P. 411) (L.D. 1220) Bill "An Act To Repeal the Former
Interstate Compact for Juveniles" Committee on **CRIMINAL
JUSTICE AND PUBLIC SAFETY** reporting **Ought to Pass**

(S.P. 468) (L.D. 1360) Bill "An Act To Conform the State
Workforce Board and Workforce Development Programs to the
Federal Workforce Innovation and Opportunity Act" Committee
on **LABOR, COMMERCE, RESEARCH AND ECONOMIC
DEVELOPMENT** reporting **Ought to Pass**

(S.P. 470) (L.D. 1362) Bill "An Act To Update the
Operations of the Bureau of Rehabilitation Services and To
Conform to the Federal Workforce Innovation and Opportunity
Act of 2014" Committee on **LABOR, COMMERCE,
RESEARCH AND ECONOMIC DEVELOPMENT** reporting
Ought to Pass

(S.P. 536) (L.D. 1530) Bill "An Act To Amend the Laws
Governing Unemployment Compensation" Committee on
**LABOR, COMMERCE, RESEARCH AND ECONOMIC
DEVELOPMENT** reporting **Ought to Pass**

(S.P. 112) (L.D. 346) Bill "An Act To Make Abuse of
Corpse a Class C Crime" Committee on **CRIMINAL JUSTICE**

AND PUBLIC SAFETY reporting **Ought to Pass as Amended
by Committee Amendment "A" (S-111)**

(S.P. 221) (L.D. 659) Bill "An Act To Amend the Maine
Guaranteed Access Reinsurance Association Act" Committee
on **INSURANCE AND FINANCIAL SERVICES** reporting
Ought to Pass as Amended by Committee Amendment "A"
(S-123)

(S.P. 238) (L.D. 721) Bill "An Act To Mandate the
Reporting of a Planned Act of Terrorism by a Person with
Knowledge of That Plan" Committee on **CRIMINAL JUSTICE
AND PUBLIC SAFETY** reporting **Ought to Pass as Amended
by Committee Amendment "A" (S-114)**

(S.P. 307) (L.D. 952) Bill "An Act To Ensure Access to
Opiate Addiction Treatment in Maine" Committee on **HEALTH
AND HUMAN SERVICES** reporting **Ought to Pass as
Amended by Committee Amendment "A" (S-106)**

(S.P. 322) (L.D. 983) Bill "An Act To Increase Efficiency in
the Enforcement of Restitution and Bail Orders" Committee on
CRIMINAL JUSTICE AND PUBLIC SAFETY reporting **Ought
to Pass as Amended by Committee Amendment "A" (S-
115)**

(S.P. 354) (L.D. 1072) Bill "An Act To Amend the Laws
Regarding Dealers in Secondhand Precious Metals" Committee
on **LABOR, COMMERCE, RESEARCH AND
ECONOMIC DEVELOPMENT** reporting **Ought to Pass as
Amended by Committee Amendment "A" (S-129)**

(S.P. 387) (L.D. 1166) Bill "An Act Regarding Anesthesia
Care in Rural Maine" Committee on **LABOR, COMMERCE,
RESEARCH AND ECONOMIC DEVELOPMENT** reporting
Ought to Pass as Amended by Committee Amendment "A"
(S-108)

(S.P. 412) (L.D. 1221) Bill "An Act To Clarify and Amend
Certain Provisions of Law Regarding Victim Services" Committee
on **CRIMINAL JUSTICE AND PUBLIC SAFETY**
reporting **Ought to Pass as Amended by Committee
Amendment "A" (S-116)**

(S.P. 439) (L.D. 1287) Bill "An Act To Strengthen Efforts
To Recruit and Retain Primary Care Professionals and
Dentists in Rural and Underserved Areas of the State" Committee
on **TAXATION** reporting **Ought to Pass as
Amended by Committee Amendment "A" (S-121)**

(S.P. 441) (L.D. 1289) Bill "An Act To Allow Voluntary
Payments in Lieu of Taxes in the Unorganized Territory" Committee
on **TAXATION** reporting **Ought to Pass as
Amended by Committee Amendment "A" (S-122)**

(S.P. 472) (L.D. 1385) Bill "An Act Governing Direct
Primary Care Membership Agreements" Committee on
INSURANCE AND FINANCIAL SERVICES reporting **Ought
to Pass as Amended by Committee Amendment "A" (S-
127)**

(S.P. 487) (L.D. 1409) Bill "An Act To Reduce Regulations
for Small Nonalcoholic Beverage Producers" Committee on
**LABOR, COMMERCE, RESEARCH AND ECONOMIC
DEVELOPMENT** reporting **Ought to Pass as Amended by
Committee Amendment "A" (S-110)**

(H.P. 237) (L.D. 323) Bill "An Act To Fully Fund the
Waiting List for the Home and Community Benefits for
Members with Intellectual Disabilities or Autistic Disorder
Waiver" Committee on **HEALTH AND HUMAN SERVICES**
reporting **Ought to Pass as Amended by Committee
Amendment "A" (H-257)**

(H.P. 731) (L.D. 1042) Bill "An Act To Amend the Law
Regarding Road Associations" Committee on **STATE AND
LOCAL GOVERNMENT** reporting **Ought to Pass as
Amended by Committee Amendment "A" (H-255)**

(H.P. 797) (L.D. 1134) Bill "An Act To Amend the Laws Governing Nursing Facilities To Permit Nurse Practitioners, Clinical Nurse Specialists and Physician Assistants To Perform Certain Physician Tasks" Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-258)**

(H.P. 877) (L.D. 1254) Bill "An Act To Amend the Law Regarding Super Cribbage Tournaments" (EMERGENCY) Committee on **VETERANS AND LEGAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-262)**

(H.P. 891) (L.D. 1278) Bill "An Act To Amend the Military Bureau Laws and Veterans Service Laws" Committee on **VETERANS AND LEGAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-263)**

(H.P. 1001) (L.D. 1449) Bill "An Act To Support Maine Military Charities" Committee on **VETERANS AND LEGAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-264)**

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.

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.

Resolve, To Establish the Task Force To Identify Special Education Cost Drivers and Innovative Approaches to Services (EMERGENCY)

(H.P. 456) (L.D. 642)
(C. "A" H-106)

TABLED - May 16, 2017 (Till Later Today) by Representative ESPLING of New Gloucester.

PENDING - **FINAL PASSAGE.**

This being an emergency measure, a two-thirds vote of all the members elected to the House being necessary, a total was taken. 125 voted in favor of the same and 4 against, and accordingly the Resolve was **FINALLY PASSED**, signed by the Speaker and sent to the Senate.

SENATE PAPERS

Bill "An Act To Retain Jobs in Maine"

(S.P. 571) (L.D. 1621)

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

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

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

On motion of Representative CHAPMAN of Brooksville, the House adjourned at 1:50 p.m., until 10:00 a.m., Thursday, May 25, 2017, in honor and lasting tribute to Joyce Muriel Lundgren-Willette, of Bangor.